United Nations S/2017/367

Security Council

Distr.: General
27 April 2017

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Note verbale dated 27 April 2017 from the Permanent Mission of Namibia to the United Nations addressed to the President of the Security Council

The Permanent Mission of Namibia to the United Nations presents its compliments to the President of the Security Council, and has the honour to forward a letter from the Representative of the Frente Polisario to the United Nations, Ahmed Boukhari, addressed to the President of the Security Council (see annex). The Mission would like to request that the letter be circulated as a document of the Security Council.

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Annex to the note verbale dated 27 April 2017 from the Permanent Mission of Namibia to the United Nations addressed to the President of the Security Council

Upon instructions from my authorities, I have the honour to inform you that, in response to the appeal of several friendly countries and the commitment of the Secretary-General contained in his report of 10 April 2017 to the Security Council (S/2017/307) to urgently consider the general conditions with regard to compliance with the letter and the spirit of military agreement No. 1 of 24 December 1997, in the Guerguerat area, the Frente Polisario has taken the decision to redeploy the elements of its armed forces present in that area and who had been dispatched in response to the serious violation of this agreement by Morocco on 11 August 2016, a violation duly reported by the Frente Polisario to the United Nations.

Recalling that Guerguerat is an integral part of the territory of Western Sahara, the Frente Polisario emphasizes that this decision is an additional testimony to its desire to encourage the efforts of the United Nations.

Recalling also the constant sacrifices of the Saharawi people for peace, the Frente Polisario emphasizes that this decision does not under any circumstances jeopardize the status of the Territory and that it will be reviewed in the light of the commitments of all stakeholders.

In this regard, the Frente Polisario takes due note of the availability of the United Nations to ensure a permanent presence of the United Nations Mission for the Referendum in Western Sahara (MINURSO) in this area.

The Frente Polisario, which has consistently supported the efforts of the Secretaries-General of the United Nations, reiterates its strict commitment to the settlement plan endorsed by the Security Council in 1991 and, in this context, its expectation for a genuine political process within the framework of the United Nations doctrine on decolonization and the full respect for the right of the people of Western Sahara to self-determination.

(*Signed*) Ahmed **Boukhari**
Representative of the Frente Polisario to the United Nations

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General Assembly
Security Council

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28 April 2017
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General Assembly
Seventy-first session
Agenda item 34
The situation in the Middle East

Security Council
Seventy-second year

Identical letters dated 20 April 2017 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

On instructions from my Government, I transmit to you herewith a statistical summary of Israeli violations of Security Council resolution 1701 (2006) committed during the month of March 2017 (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the seventy-first session of the General Assembly, under agenda item 34, and of the Security Council.

(*Signed*) Nawaf **Salam**
Ambassador
Permanent Representative

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Annex to the identical letters dated 20 April 2017 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary General and the President of the Security Council

Land violations committed during March 2017

Date	*Time*	*Nature of violation*
1 March	0930	A number of townspeople headed toward the outskirts of the town of Mays al-Jabal in the Kurum al-Shiraqi area, opposite points B64-1 and B65, to ensure that the Israeli enemy had removed certain devices (a camera, a solar panel and a microwave link network) that had been installed there previously. From the enemy side, an Israeli enemy patrol comprising two Hummer vehicles approached. Five soldiers disembarked and threw a smoke bomb in the direction of the townspeople, which landed between the technical fence and the Blue Line. At 1000 hours, the people left and the enemy patrol returned into occupied territory.
	1830 1845	From its position opposite Labbunah-Jall al-Alam, the Israeli enemy directed a searchlight in the direction of Lebanese territory.
2 March	2030 2145	From its position opposite Labbunah-Jall al-Alam, the Israeli enemy directed a searchlight in the direction of Lebanese territory.
6 March	2155	From its position opposite Labbunah-Jall al-Alam, the Israeli enemy directed a searchlight in the direction of a Humvee vehicle belonging to the Lebanese Army while it was moving from the Ra's al-Naqurah position to the Labbunah position.
26 March	2240	From inside occupied territory, opposite Sahl al-Khiyam, a 10-vehicle Israeli enemy patrol approached. Five soldiers disembarked, inspected the technical fence and directed a searchlight in the direction of Lebanese territory. The vehicles and soldiers departed at 2310 hours into occupied territory.
27 March	1000	From inside the occupied Shab'a Farms, from its position at the Zabdin post, the Israeli enemy hurled two smoke bombs at the surrounding area.
	2148 2158	From inside the occupied Shab'a Farms, the Israeli enemy launched six flares over the Radar position.
28 March	0800	From inside occupied territory, opposite the Sahl al-Khiyam highway and near crossing point B90, an Israeli enemy patrol comprising two Defender vehicles and two bulldozers approached. Twelve soldiers disembarked and trained their weapons on Lebanese territory. The bulldozers cleared the road adjacent to the technical fence. At 1230 hours, the work finished and the soldiers departed, leaving the bulldozers in place.

Sea violations committed in March 2017

Date	*Time*	*Nature of violation*
5 March	1225	Off Ra's al-Naqurah, an Israeli enemy rubber military launch violated the southern maritime boundary established by Decree 6433 (2011) of 1 October 2011, proceeding some 100 metres into Lebanese territorial waters over a fifteen-minute period and releasing two divers. The launch and divers then left in the direction of occupied Palestinian territorial waters.

Date	*Time*	*Nature of violation*
	1225	An Israeli military launch violated the southern maritime boundary established by Decree No. 6433 (2011) for a 15-minute period and proceeded on its way for some 100 metres. At 1240 hours, it moved in the direction of buoys Nos. 3 and 4 and breached that line for a 39-minute period. It then proceeded some 370 metres and released two divers inside Lebanese territorial waters, before leaving in the direction of occupied Palestinian territorial waters.
6 March	2120 2128	Off Ra's al-Naqurah, inside occupied Palestinian territorial waters, the crew of an Israeli enemy military launch fired several bursts of medium-weapons fire and tracer rounds in the direction of Lebanese territorial waters. Some rounds violated the southern maritime boundary established by Decree No. 6433 (2011).
7 March	0435	Off Ra's al-Naqurah, inside occupied Palestinian territorial waters, an Israeli enemy military launch fired weapons and directed a searchlight for a five-minute period in the direction of Lebanese territorial waters.
	0450 0500	Off Ra's al-Naqurah, from its position at Ra's al-Naqurah, the Israeli enemy directed a searchlight towards Lebanese territorial waters and at a Lebanese fishing boat multiple times, for one minute each time.
	0607	Off Ra's al-Naqurah, an Israeli enemy military launch violated the southern maritime boundary established by Decree 6433 (2011) for a three-minute period, and proceeded on its way for some 315 metres into Lebanese territorial waters. The launch then left in the direction of occupied Palestinian territorial waters.
	1555	Off Ra's al-Naqurah, an Israeli enemy military launch violated the southern maritime boundary established by Decree 6433 (2011) for a one-minute period, and proceeded on its way for some 260 metres into Lebanese territorial waters. The launch then left in the direction of occupied Palestinian territorial waters.
9 March	0740	Off Ra's al-Naqurah, an Israeli enemy military launch violated the southern maritime boundary established by Decree No. 6433 (2011) for a seven-minute period, and proceeded on its way for some 590 metres. The launch then left in the direction of occupied Palestinian territorial waters.
9 March	0815	Off Ra's al-Naqurah, an Israeli enemy military launch violated the southern maritime boundary established by Decree No. 6433 (2011) for a 33-minute period, and proceeded on its way for some 200 metres. The launch then left occupied Palestinian territorial waters, and returned at 0850 hours. It breached the above-mentioned line for an eight-minute period, proceeding on its way for some 560 metres. The launch then left in the direction of occupied Palestinian territorial waters.
	0825	Off Ra's al-Naqurah, an Israeli enemy military launch violated the southern maritime boundary established by Decree No. 6433 (2011) for a period of one hour and five minutes, and proceeded on its way for some 650 metres. The launch then left in the direction of occupied Palestinian territorial waters.
	0850	Off Ra's al-Naqurah, an Israeli enemy military launch violated the southern maritime boundary established by Decree No. 6433 (2011) for an eight-minute period, and proceeded on its way for some 560 metres. The launch then left in the direction of occupied Palestinian territorial waters.

Date	*Time*	*Nature of violation*
	0908	Off Ra's al-Naqurah, an Israeli enemy military launch violated the southern maritime boundary established by Decree No. 6433 (2011) for a 22-minute period, and proceeded on its way for some 560 metres. The launch then left in the direction of occupied Palestinian territorial waters.
	1507	Off Ra's al-Naqurah, an Israeli enemy military launch violated the southern maritime boundary established by Decree No. 6433 (2011) for a three-minute period, and proceeded on its way for some 200 metres. The launch then left in the direction of occupied Palestinian territorial waters.
	1617	Off Ra's al-Naqurah, an Israeli enemy military launch violated the southern maritime boundary established by Decree No. 6433 (2011) for a one-minute period, and proceeded on its way for some 200 metres. The launch then left in the direction of occupied Palestinian territorial waters.
15 March	1910	An Israeli enemy military launch released divers into Palestinian territorial waters. The vessel's crew spoke in Hebrew on a loudspeaker and directed a searchlight towards Lebanese territorial waters for a one-minute period. At 1930 hours, the launch left in the direction of occupied Palestinian waters.
19 March	1638	Off Ra's al-Naqurah, an Israeli enemy military launch violated the southern maritime boundary established by Decree No. 6433 (2011) for a three-minute period, and proceeded on its way for some 300 metres. The launch then left in the direction of occupied Palestinian territorial waters.
22 March	1120	Off Ra's al-Naqurah, an Israeli enemy military launch violated the southern maritime boundary established by Decree No. 6433 (2011) for a 24-minute period, and proceeded on its way for some 150 metres into Lebanese territorial waters. The launch then departed into occupied Palestinian territorial waters. At 1133 hours, the launch returned and breached the boundary for 28-minute period, proceeding on its way for some 370 metres into Lebanese territorial waters, where it released divers who removed the third buoy. It then departed into occupied Palestinian territorial waters. At 1232 hours, it returned and violated the boundary again for a 44-minute period, proceeding some 315 metres into Lebanese territorial waters. It then departed into occupied Palestinian territorial waters. At 1256 hours, it returned and violated the boundary for a 20-minute period, proceeding on its way for some 315 metres into Lebanese territorial waters. It released divers, who reinstalled the third buoy in its previous location. The launch and divers then left in the direction of occupied Palestinian waters.
	1434	Off Ra's al-Naqurah, an Israeli enemy military launch violated the southern maritime boundary established by Decree No. 6433 (2011) for a 26-minute period, and proceeded on its way for some 200 metres into Lebanese territorial waters. The launch then departed into occupied Palestinian territorial waters.
	1437	Off Ra's al-Naqurah, an Israeli enemy military launch violated the southern maritime boundary established by Decree No. 6433 (2011) for a 33-minute period, and proceeded on its way for some 370 metres into Lebanese territorial waters. The launch then departed into occupied Palestinian territorial waters.
24 March	0610	Off Ra's al-Naqurah, from inside occupied Palestinian waters, the crew of an Israeli enemy military launch shouted obscenities at Lebanese fishermen inside Lebanese territorial waters. The launch also sounded warning sirens next to the first buoy.
25 March	2340	Off Ra's al-Naqurah, the Israeli enemy directed a searchlight from its Ra's al-Naqurah position towards Lebanese territorial waters for a five-minute period.

Date	*Time*	*Nature of violation*
26 March	1811	Off Ra's al-Naqurah, an Israeli enemy military launch violated the southern maritime boundary established by Decree No. 6433 (2011) for a one-minute period, and proceeded on its way for some 150 metres. The launch then left in the direction of occupied Palestinian territorial waters.
29 March	0312	Off Ra's al-Naqurah, an Israeli enemy military launch violated the southern maritime boundary established by Decree 6433 (2011) for a seven-minute period, and proceeded on its way for some 335 metres. It directed a searchlight towards Lebanese territorial waters for a one-minute period. The launch then left in the direction of occupied Palestinian territorial waters.
	0337	Off Ra's al-Naqurah, an Israeli enemy military launch violated the southern maritime boundary established by Decree 6433 (2011) for a nine-minute period, and proceeded on its way for some 408 metres. It directed a searchlight towards Lebanese territorial waters for a period of two minutes. The launch then left in the direction of occupied Palestinian territorial waters.
	0410	Off Ra's al-Naqurah, inside occupied Palestinian territorial waters, an Israeli enemy military launch fired five rounds in the air and directed a searchlight towards Lebanese territorial waters for a period of five minutes.
	0411	Off Ra's al-Naqurah, an Israeli enemy military launch violated the southern maritime boundary established by Decree 6433 (2011) for a nine-minute period, and proceeded on its way for some 445 metres. A crew member released an explosive charge from the launch into Lebanese territorial waters. The launch then left in the direction of occupied Palestinian territorial waters.
	0506	Off Ra's al-Naqurah, an Israeli enemy military launch violated the southern maritime boundary established by Decree No. 6433 (2011) for a six-minute period, and proceeded on its way for some 390 metres. The launch then left in the direction of occupied Palestinian territorial waters.
	1056	Off Ra's al-Naqurah, an Israeli enemy military launch violated the southern maritime boundary established by Decree No. 6433 (2011) for a 31-minute period, and proceeded on its way for some 371 metres. The launch then left in the direction of occupied Palestinian territorial waters.

Air violations committed in March 2017

Date	*Time*	*Nature of violation*
2 March	0955	Two Israeli enemy warplanes violated Lebanese airspace, entering over Naqurah. They circled over all regions of Lebanon before leaving at 1140 hours over Alma al-Sha'b.
	1425	Four Israeli enemy warplanes violated Lebanese airspace, entering over the sea west of Shikka. They left Lebanese airspace at 1435 hours over Alma al Sha'b.
	1435	Four Israeli enemy warplanes violated Lebanese airspace, entering over the sea west of Shikka. They left Lebanese airspace at 1445 hours over Rumaysh.
4 March	0600	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled above the Shuf, Iqlim al-Kharrub, the South, the Western Bekaa, Riyaq and Zahlah before leaving at 1900 hours over Kafr Killa.

Date	*Time*	*Nature of violation*
5 March	0720	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South before leaving at 1345 hours over Rumaysh.
6 March	0800	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the South before leaving at 1415 hours over Alma al Sha'b.
	1000	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over the South before leaving at 1255 hours over Kafr Killa.
	1005	Two Israeli enemy warplanes violated Lebanese airspace, entering over the sea west of Naqurah. They circled over all regions of Lebanon before leaving at 1135 hours over Naqurah.
	1010	An Israeli enemy reconnaissance aircraft violated Lebanese territory, entering over Kafr Killa. It circled over the South and the Western Bekaa before leaving at 1600 hours over Alma al-Sha'b.
	1035	Two Israeli enemy warplanes violated Lebanese airspace, entering over the sea west of Na'imah. They circled over all regions of Lebanon before leaving at 1205 hours over the sea west of Naqurah.
	1150	Two Israeli enemy warplanes violated Lebanese airspace, entering over Alma al-Sha'b. They circled over all regions of Lebanon before leaving at 1330 hours over the sea west of Naqurah.
	2020	Two Israeli enemy warplanes violated Lebanese airspace, entering over Alma al-Sha'b. They circled over all regions of Lebanon before leaving at 2035 hours over the sea west of Naqurah.
7 March	1105	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South before leaving at 1940 hours over Rumaysh.
8 March	0750	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over the South before leaving at 1600 hours over Alma al-Sha'b.
	0805	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over Riyaq, Baalbek and Hirmil before leaving at 1300 hours over Rumaysh.
9 March	0945	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over Ba'abda, Beirut and its suburbs and the South before leaving at 2025 hours over Rumaysh.
14 March	0740	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over Ba'abda, Beirut and its suburbs, the South and the Western Bekaa before leaving at 1630 hours over Kafr Killa.
	2040	Two Israeli enemy warplanes violated Lebanese airspace, entering over the sea off Shikka. They circled over all regions of Lebanon before leaving at 2055 hours over the sea west of Naqurah.
17 March	0234	Four Israeli enemy warplanes violated Lebanese airspace at low altitude, entering over the South before leaving in the direction of occupied territory.
21 March	2045	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over Beirut and its suburbs and the South before leaving at 0050 hours on 22 March 2017 over Naqurah.

Date	*Time*	*Nature of violation*
23 March	2035	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the South before leaving at 2305 hours over Rumaysh.
24 March	1120	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the South before leaving at 1600 hours over Rumaysh.
25 March	0730	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South before leaving at 1400 hours over Rumaysh.
	1700	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South, Beirut and its suburbs before leaving at 0730 hours on 26 March 2017 over Naqurah.
26 March	0720	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South before leaving at 1235 hours over the sea west of Naqurah.
	0840	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over Beirut and its suburbs, Kasrawan, Matn and Ba'abda before leaving at 1500 hours over Alma al-Sha'b.
	0905	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the Western Bekaa and the South before leaving at 1520 hours over Kafr Killa.
	1130	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the South before leaving at 1930 hours over Alma al-Sha'b.
	1920	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the Western Bekaa and the South before leaving at 0015 hours on 27 March over Rumaysh.
27 March	0530	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over Beirut and Ba'abda before leaving at 1740 hours over Naqurah.
	0725	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over Riyaq, Baalbek and Hirmil before leaving at 1410 hours over Kafr Killa.
	1045 1100	Two Israeli enemy helicopters violated Lebanese airspace. They circled over the occupied Shab'a Farms before leaving at 1100 hours in the direction of occupied territory.
28 March	0430	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the Shuf, Iqlim al-Kharrub, Beirut and its suburbs and Ba'abda before leaving at 1200 hours over Alma al-Sha'b.
	0500	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South before leaving at 1800 hours over Rumaysh.
	0950	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over Beirut, Matn and Ba'abda before leaving at 1500 hours over Alma al-Sha'b.
	1910	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over Riyaq, Baalbek and Hirmil before leaving at 0700 hours on 29 March over Rumaysh.

Date	*Time*	*Nature of violation*
29 March	0725	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South, Riyaq and Baalbek before leaving at 1850 hours over Naqurah.
	1515	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over the sea west of Naqurah. It circled over the South before leaving at 2320 hours over Alma al-Sha'b.
	2145	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South before leaving at 0530 hours on 30 March over Alma al-Sha'b.
31 March	1415	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South before leaving at 2050 hours over Naqurah.

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Security Council

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Letter dated 28 April 2017 from the Permanent Representative of Morocco to the United Nations addressed to the President of the Security Council

Upon instructions from my Government, I have the honour to forward herewith a copy of the letter regarding the situation in the Guerguerat area that I addressed yesterday to the Secretary-General (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Omar **Hilale**
Ambassador
Permanent Representative

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Annex to the letter dated 28 April 2017 from the Permanent Representative of Morocco to the United Nations addressed to the President of the Security Council

[Original: French]

Upon instructions from my Government, I have the honour to convey the following.

On 27 April 2017, the Permanent Representative of Namibia wrote to the President of the Security Council, transmitting a letter from the "polisario" concerning the Guerguerat area in the Moroccan Sahara (S/2017/367).

In its letter, the "polisario" speaks of a mere "redeployment" of so-called "elements of its forces" present in the Guerguerat area. This is, by no means, the withdrawal from the area by the "polisario" called for by the members of the Security Council in its meeting of 25 April 2017 and by you, both in your statement of 25 February 2017 and your report to the Security Council (S/2017/307).

The "polisario" expressly acknowledges that its military elements are present in the buffer strip near Guerguerat, in violation of article 3.1 of military agreement No. 1.

This admission contradicts the lies about the presence of "only civilian elements" in the area, which the "polisario" has fed to the United Nations Mission for the Referendum in Western Sahara (MINURSO) and which are relayed in the Security Council's weekly briefing notes.

The "polisario" refers to the "redeployment" of armed elements only, which runs counter to your explicit request and to that of all members of the Security Council for a full withdrawal of all military, civilian and other elements from the area.

Even worse, and contrary to your call — echoed by the Security Council for — an unconditional withdrawal, the "polisario" dares to impose unacceptable conditions for the "redeployment" of elements of its armed forces in Guerguerat, namely a review of military agreement No. 1 and the permanent presence of MINURSO in the area.

The "polisario", which has violated military agreement No. 1 and the ceasefire, ignored your constant appeals for its withdrawal from Guerguerat and defied the Security Council and the international community, is in no position to dictate its conditions to the Council or to you.

The "polisario" is threatening to review its "decision" to "redeploy the elements of its armed forces" present in the area; they can thus be dispatched again to the area at any time, which means that the Security Council is being deceived and blackmailed.

The Kingdom of Morocco considers the letter sent by the "polisario" to be null and void. It in no way signifies a withdrawal or even an intention to carry out the immediate, full and unconditional withdrawal called for by both you and the members of the Security Council.

The Kingdom of Morocco, which withdrew fully from the Guerguerat area 24 hours after your statement of 25 February 2017, would like to express its unwavering support for the tireless efforts you have made over several months to ensure the "polisario's" withdrawal from the area.

The Kingdom of Morocco strongly hopes that neither MINURSO nor the Department of Peacekeeping Operations, which are responsible for confirming the

full withdrawal of all "polisario" elements from Guerguerat and, consequently, compliance with military agreement No. 1, will fall for this charade. They should be careful not to be taken in by this attempted ruse intended to legitimize a so-called withdrawal and mislead the Security Council. The hidden agenda of the "polisario" is to avoid being named and shamed in the Security Council resolution that is to be adopted on 28 April 2017.

The Kingdom of Morocco shall not recognize any finding or verification by MINURSO of such "redeployment". In addition, it shall not be bound by any measure or initiative that may arise unlawfully from the content or spirit of the letter.

The Kingdom of Morocco emphasizes that the absence of a full, immediate and unconditional withdrawal of all "polisario" elements, verified by MINURSO, and the failure to restore the status quo ante would jeopardize any chance of relaunching the political process which you, and Morocco, so fervently desire.

The Kingdom of Morocco reiterates its full confidence in your leadership. Morocco also reaffirms its commitment and determination to support your efforts and cooperate with you and your next Personal Envoy to create the appropriate environment and momentum for resuming the political process, with a view to achieving a negotiated political solution, in accordance with the parameters defined by the Security Council since 2007.

(*Signed*) Omar **Hilale**
Ambassador
Permanent Representative

United Nations S/2017/370

Security Council

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28 April 2017

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Letter dated 26 April 2017 from the Chair of the Burundi configuration of the Peacebuilding Commission addressed to the President of the Security Council

I am writing to you in my capacity as Chair of the Burundi configuration of the Peacebuilding Commission.

I undertook a visit to Burundi and the United Republic of Tanzania from 27 to 31 March 2017 as part of the ongoing engagement between the Peacebuilding Commission and Burundi.

The attached report* summarizes the conversations and meetings that I held during my visit, as well as my conclusions. It was presented to the Burundi configuration on 26 April 2017.

I look forward to continued cooperation between the Security Council and the Peacebuilding Commission on Burundi.

I request that the present letter be circulated to the members of the Security Council and issued as a document of the Council.

(*Signed*) Jürg **Lauber**
Ambassador
Chair of the Burundi configuration
of the Peacebuilding Commission

* The report was made available to the members of the Security Council only.

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United Nations S/2017/37

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Fourteenth report of the Secretary-General pursuant to paragraph 4 of Security Council resolution 2107 (2013)

I. Introduction

1. The present report, submitted pursuant to paragraph 4 of Security Council resolution 2107 (2013), covers developments pertaining to the issues of missing Kuwaiti and third-country nationals and missing Kuwaiti property, including the national archives, since the issuance of the previous report of 25 January 2017 (S/2017/73).

2. On 17 January 2017, in carrying out his responsibilities under Security Council resolution 2107 (2013), my Deputy Special Representative for Iraq for Political Affairs met the Undersecretary for Legal Affairs and Multilateral Relations of the Ministry of Foreign Affairs of Iraq, Omar Barzanji, in Kuwait and received assurances of the unwavering commitment of Iraq to achieving results on the file on missing Kuwaiti and third-country nationals and missing Kuwaiti property and to continuing the close cooperation between the Ministries of Foreign Affairs and Defence towards that goal.

3. On 23 March, following the meeting of the international coalition to counter Islamic State in Iraq and the Levant, the First Deputy Prime Minister and Minister for Foreign Affairs of Kuwait, Sheikh Sabah Khalid Al-Hamad Al-Sabah, reiterated the support of Kuwait to Iraq, in particular in providing humanitarian assistance.

4. On 30 March, I visited Iraq and held discussions with the Prime Minister, Haider Al Abadi, who, among other things, expressed his keen desire to solve outstanding issues with Kuwait.

II. Recent activities with regard to the repatriation and return of all Kuwaiti and third-country nationals, or their remains

5. The Ministry of Defence of Iraq continued to engage with other government institutions to gather more information on potential burial sites, including Khamisiyah, Radwaniyah and Salman Pak. The Ministry also continued to work with the Kurdistan Regional Government Ministry of Martyrs and Anfal Affairs with regard to a witness who might be in possession of information on a potential burial site in Sulaymaniyah governorate. A specialized team from the Ministry has been following up with a number of witnesses who came forward as a result of the

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public campaign that was broadcast on satellite television stations on 17 December 2016.

6. On 16 January 2017, in Kuwait, representatives of the United Nations Assistance Mission for Iraq (UNAMI) attended the ninety-seventh session of the Technical Subcommittee of the tripartite mechanism in an observer capacity. All members recognized the renewed positive commitment and efforts made on the file, including with regard to the revitalization of the tripartite mechanism and the aim of achieving more tangible results. As part of the in-depth scientific review project agreed upon at the forty-first meeting of the Tripartite Commission, a researcher of the International Committee of the Red Cross (ICRC) and an independent forensic reviewer have collated and reviewed over 6,000 documents dating back to 1990. Once this work is completed, their recommendations are expected to be submitted to the members of the Commission.

7. On 17 January, in Kuwait, my Deputy Special Representative met the Chair of the Kuwaiti National Committee for Missing Persons and Prisoners of War Affairs, Ibrahim al-Shaheen, and assured him of the dedication of UNAMI to supporting and facilitating all efforts on the important humanitarian file. Mr. al-Shaheen welcomed the commitment of the Ministry of Defence of Iraq and its good relations with the members of the tripartite mechanism, and suggested that the exchange of information and continuous dialogue among the members should be strengthened, in particular outside the regularly scheduled meetings. My Deputy Special Representative indicated that UNAMI had encouraged the Iraqi authorities to maintain open and continuous communication channels with the members of the tripartite mechanism.

8. On 18 January, in Kuwait, my Deputy Special Representative met the Deputy of the General Legal Adviser and Head of the technical committee in charge of the file on missing Kuwaiti persons and property at the Ministry of Defence of Iraq, Brigadier General Hazem Qassem Majid, who reiterated the commitment of the Ministry to continuing to undertake wide-ranging activities to achieve progress in this field. My Deputy Special Representative welcomed the work undertaken by the Ministry, in particular the public outreach campaigns that resulted in new witnesses coming forward and the collection of a substantial amount of information that could be relevant for future searches and excavations.

9. On 18 January, in Kuwait, a UNAMI delegation, headed by my Deputy Special Representative, attended the forty-third session of the Tripartite Commission in an observer capacity. The Iraqi delegation emphasized that, despite the challenging security situation in the country and ongoing military operations, Iraq remained fully committed to resolving issues pertaining to the file. The delegation further underlined the fact that, following the transfer of the file from the Ministry of Human Rights, which has been abolished, to the Ministry of Defence, greater progress had been made, in particular in encouraging potential witnesses to come forward. The Kuwaiti delegation expressed understanding of the significant challenges faced by the Iraqi authorities and appreciation for their continued efforts. All members highlighted their dedication to finding answers for the families of the missing persons. During the meeting, the observer status of UNAMI was renewed, with the Kuwaiti, Iraqi and ICRC delegations expressing gratitude for the efforts and support of UNAMI in relation to the humanitarian process.

10. From 2 to 7 February, the technical team of the Ministry of Defence of Iraq undertook excavation works on a potential burial site in Karbala' province, during the course of which 152 trenches were dug. No human remains were found. On 12 and 13 March, the technical team of the Ministry, joined by the ICRC team of

experts, conducted an exploratory mission in Karbala'. The report of the mission will be shared with the parties concerned in the next reporting period.

11. On 20 February, the technical committee in charge of the file on missing Kuwaiti persons and property held a meeting with the Department of Prisoners of War and Missing Persons of the Ministry of Defence. The meeting was chaired by Brigadier General Majid and attended by representatives of the Ministries of Defence and the Interior of Iraq, the ICRC delegation in Baghdad and UNAMI. During the meeting, a number of recommendations were considered, including to conduct field assessment missions to the Khamisiyah and Karbala' sites in the presence of the ICRC team of experts and to seek additional information on Salman Pak and other potential burial sites.

12. On 15 March, in Baghdad, my Deputy Special Representative met Brigadier General Majid, who outlined the activities undertaken by the Ministry during the reporting period, including the issuance of a humanitarian appeal on 10 March through social media and local newspapers, inviting all those with information pertaining to the missing Kuwaiti persons to come forward. A reward was offered for those who could provide credible information. Brigadier General Majid noted that the Ministry needed new excavation equipment to be able to conduct more effective fieldwork. Despite all the challenges, the Ministry remained steadfast in its efforts to achieve the desired results.

13. From 12 to 17 March, the technical team of the Ministry of Defence of Iraq undertook excavation works on the potential burial location in Khamisiyah, digging 157 trenches. No human remains were found. From 15 to 17 March, the ICRC team of experts and the technical team of the Ministry conducted an assessment mission to the site and a field survey of the area in order to establish a general history of the site and identify locations for future excavation works.

14. On 16 March, in Baghdad, my Deputy Special Representative met the Minister of Defence of Iraq, Arfan al-Hayali, and welcomed the renewed energy brought about by the Ministry's activities on the file on missing Kuwaiti persons and property and encouraged the Minister to maintain his resolve in that regard. Mr. al-Hayali underscored the commitment of the Government of Iraq to continuing to make the efforts necessary as part of this important humanitarian endeavour in accordance with its international obligations.

15. On 26 and 27 March, excavation works were carried out at the naval base site in Kuwait with the participation of representatives of Iraq, Kuwait and ICRC. A witness who claimed to have knowledge of the burial site accompanied the Iraqi delegation. No human remains were found.

16. On 27 March, in Kuwait, representatives of UNAMI attended the ninety-eighth session of the Technical Subcommittee of the tripartite mechanism in an observer capacity. During the meeting, the dedication, cooperation, continuous efforts and support of all members over the years, despite many remaining challenges, were highlighted. The Iraqi delegation reaffirmed its commitment to continuing to work on the file until the remains of all missing persons were returned to their families. The Kuwaiti delegation recognized the increase in the resources and activities employed by the Ministry of Defence of Iraq in following up on the file.

III. Recent activities with regard to the return of Kuwaiti property

17. During the reporting period, no forward movement with regard to the return of Kuwaiti property was registered. On 17 January, in Kuwait, during the meeting with

the Undersecretary for Legal Affairs and Multilateral Relations of the Ministry of Foreign Affairs of Iraq, Mr. Barzanji, my Deputy Special Representative encouraged the Ministry to officially hand over the Kuwaiti books that had been itemized to date.

IV. Observations

18. The relationship and cooperation between Iraq and Kuwait have continued to strengthen. I commend both States for instilling confidence in their people, neighbouring countries and the wider international community by demonstrating that, with goodwill and collaboration, it is possible to emerge from a conflict and restore bilateral ties. The solidarity and support shown by Kuwait to Iraq is encouraging. The steadfastness of the Government of Iraq in bolstering relations and fostering mutual respect with Kuwait and the wider region is commendable.

19. Twenty-six years after the end of the first Gulf war, despite the increasing cooperation between the two countries, the file on missing Kuwaiti and third-country nationals and missing Kuwaiti property, including the national archives, remains open. I welcome the determination shown by the Government of Iraq to honour its international obligations and urge it to continue to do so with more resolve and through intensified efforts.

20. I commend the Ministry of Defence of Iraq on its efforts to reinvigorate activities in support of the file on missing Kuwaiti persons and property, in particular its hard work aimed at finding new sources of information that can assist in locating potential burial sites. I encourage the Government of Iraq to ensure that adequate support, including institutional, financial and technical assistance, is made available in order to pursue activities in relation to this important humanitarian issue.

21. The strong and positive dynamics between the members of the tripartite mechanism, as well as the fruitful discussions and practical proposals that have emerged from the tripartite meetings aimed at supporting the efforts of the Government of Iraq in fulfilling its responsibilities with regard to the file, are commendable. ICRC continues to play a vital role in guiding this process. Although joint efforts have not led to the desired results in the past years, it is hoped that, by employing a multidimensional and innovative approach that encompasses the use of modern technology, public announcement campaigns, information-gathering and follow-up with witnesses, more sustainable progress can be achieved.

22. The Government of Iraq is encouraged to increase efforts aimed at and identify new ways of finding information on the issue of looted Kuwaiti patrimony, in particular the invaluable national archives.

23. I welcome the trust placed in UNAMI by the Governments of Iraq and Kuwait and the members of the tripartite mechanism and the role of UNAMI in this important humanitarian dossier. I reiterate the unwavering commitment of UNAMI, my Special Representative and my Deputy Special Representative to continuing to promote, support and facilitate the efforts of the Government of Iraq on the file on missing Kuwaiti persons and property.

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Security Council

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28 April 2017

Original: English

Letter dated 27 April 2017 from the Permanent Representatives of France and the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Security Council

Following the recent Arria formula meeting co-organized by the Permanent Missions of France, the United Kingdom of Great Britain and Northern Ireland and the United States of America with the Chair of the Independent International Commission of Inquiry on the Syrian Arab Republic of the Human Rights Council, Mr. Pinheiro, on 21 April 2017, we have the honour to draw your attention to the latest report of the Commission of Inquiry, issued on 10 March 2017 (A/HRC/34/CRP.3).[1]

The report presents a detailed and sobering account of widespread and systematic human rights violations that have been and are being committed.

The human rights situation in Syria is dire and continues to deteriorate, with civilians paying a disproportionately high price. The Commission of Inquiry, established on 23 August 2011, has been gathering evidence of such violations and abuses in Syria, some of which may amount to war crimes and crimes against humanity, since the inception of the conflict.

We request that the present letter be circulated as a document of the Security Council.

(*Signed*) François **Delattre**
Ambassador
Permanent Representative of France to the United Nations

(*Signed*) Matthew **Rycroft**
Ambassador
Permanent Representative of the United Kingdom
to the United Nations

[1] Available from the website of the Office of the United Nations High Commissioner for Human Rights.

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28 April 2017

Original: English

Letter dated 28 April 2017 from the Secretary-General addressed to the President of the Security Council

I have the honour to transmit herewith the forty-third monthly report of the Director General of the Organization for the Prohibition of Chemical Weapons (OPCW), submitted pursuant to paragraph 12 of Security Council resolution 2118 (2013) (see annex). The report covers the period from 23 March to 22 April 2017.

The situation with regard to the destruction of the chemical weapons production facilities declared by the Syrian Arab Republic remains unchanged. OPCW has verified the destruction of 24 of the 27 declared facilities. The Director General, in his note to the OPCW Executive Council, reiterates that the security situation continues to preclude access to the three remaining facilities.

I note that, in March 2017, the Director General invited the Government of the Syrian Arab Republic to resume the high-level consultations to address the unresolved issues related to the declaration of the Syrian Arab Republic, and that the timing of such discussions is currently under consideration. I welcome the pending resumption of those consultations and continue to encourage the Government of the Syrian Arab Republic and OPCW to cooperate on resolving those issues.

I am deeply distressed by the use of chemical weapons in the Syrian Arab Republic as confirmed by the Director General in his note to the OPCW Executive Council. As previously determined by the Security Council, the use of chemical weapons anywhere constitutes a threat to international peace and security and a serious violation of international law. I hope that the Security Council will now be able to come together and use the tools available to it to take concrete steps to ensure that those who have used chemical weapons are held accountable, in order to deter and put an end to those inhumane acts. There can be no impunity for such abhorrent attacks.

The OPCW fact-finding mission in Syria is continuing its work to further investigate allegations concerning the use of chemical weapons in the Khan Shaykhun area in southern Idlib, on 4 April 2017, and in Umm Hawsh, on 15 and 16 September 2016. I note that the Director General states that an interim report on the Khan Shaykhun attack will be submitted in the coming weeks and that a report on the allegation of the use of chemical weapons at Umm Hawsh will be submitted in the coming days. I also note the confirmation by the fact-finding mission that the two female victims reported in relation to the incident in Umm Hawsh were exposed to sulfur mustard, and the reference of the Director General to incontrovertible

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analytical results that the victims in Khan Shaykhun were exposed to sarin or a sarin-like substance.

I reiterate my call upon all States to support the critical OPCW fact-finding mission, as well as the OPCW-United Nations Joint Investigative Mechanism. The Mechanism is operational and has continued its cooperation and coordination with the OPCW Technical Secretariat and member States.

(*Signed*) António **Guterres**

Annex

[Original: Arabic, Chinese, English, French, Russian and Spanish]

I have the honour to transmit to you my report entitled "Progress in the elimination of the Syrian chemical weapons programme", prepared in accordance with the relevant provisions of OPCW Executive Council Decision EC-M-33/DEC.1 and Security Council resolution 2118 (2013), both dated 27 September 2013, for transmission to the Security Council (see enclosure). My report covers the period from 23 March to 22 April 2017 and fulfils the reporting requirements of Executive Council decision EC-M-34/DEC.1, dated 15 November 2013.

(*Signed*) Ahmet **Üzümcü**

Enclosure

[Original: Arabic, Chinese, English, French, Russian and Spanish]

Note by the Director-General

Progress in the elimination of the Syrian chemical weapons programme

Background

1. In accordance with subparagraph 2(f) of the decision by the Executive Council (hereinafter "the Council") at its Thirty-Third Meeting (EC-M-33/DEC.1, dated 27 September 2013), the Technical Secretariat (hereinafter "the Secretariat") is to report to the Council on a monthly basis regarding the implementation of that decision. In accordance with paragraph 12 of United Nations Security Council resolution 2118 (2013), the report by the Secretariat is also to be submitted to the Security Council through the Secretary-General.

2. The Council, at its Thirty-Fourth Meeting, adopted a decision entitled "Detailed Requirements for the Destruction of Syrian Chemical Weapons and Syrian Chemical Weapons Production Facilities" (EC-M-34/DEC.1, dated 15 November 2013). In paragraph 22 of that decision, the Council decided that the Secretariat should report on its implementation "in conjunction with its reporting required by subparagraph 2(f) of Council decision EC-M-33/DEC.1".

3. The Council, at its Forty-Eighth Meeting, adopted a decision entitled "Reports of the OPCW Fact-Finding Mission in Syria" (EC-M-48/DEC.1, dated 4 February 2015) noting the Director-General's intent to include reports of the OPCW Fact-Finding Mission (FFM) in Syria, along with information on the Council's discussion thereof, as part of the monthly reporting pursuant to United Nations Security Council resolution 2118 (2013). Similarly, the Council, at its Eighty-First Session, adopted a decision entitled "Report by the Director-General Regarding the Declaration and Related Submissions by the Syrian Arab Republic" (EC-81/DEC.4, dated 23 March 2016), noting the Director-General's intent to provide information on the implementation of that decision.

4. The Council, at its Eighty-Third Session, adopted a decision entitled "OPCW-United Nations Joint Investigative Mechanism Reports on Chemical Weapons Use in the Syrian Arab Republic" (EC-83/DEC.5, dated 11 November 2016). In subparagraph 12(a) of that decision, the Council decided that the Director-General shall "regularly inform the Council on the implementation of this decision and incorporate information regarding the implementation of this decision into his monthly reporting to the United Nations Security Council, through the United Nations Secretary-General, regarding EC-M-33/DEC.1".

5. This, the forty-third monthly report, is therefore submitted in accordance with the aforementioned Council decisions and includes information relevant to the period from 23 March 2017 to 22 April 2017.

Progress achieved by the Syrian Arab Republic in meeting the requirements of Executive Council decisions EC-M-33/DEC.1 and EC-M-34/DEC.1

6. Progress by the Syrian Arab Republic is as follows:

(a) The Secretariat has verified the destruction of 24 of the 27 chemical weapons production facilities (CWPFs) declared by the Syrian Arab Republic. The

security situation still continues to preclude safe access both for the Syrian Arab Republic to destroy the remaining aircraft hangar, which stands ready to accept the explosive charges, and for the Secretariat to confirm the condition of the two stationary above-ground facilities.

(b) On 18 April 2017, the Syrian Arab Republic submitted to the Council its forty-first monthly report (EC-85/P/NAT.2, dated 18 April 2017) regarding activities on its territory related to the destruction of its CWPFs, as required by paragraph 19 of EC-M-34/DEC.1.

Progress in the elimination of Syrian chemical weapons by States Parties hosting destruction activities

7. As reported previously, all of the chemicals declared by the Syrian Arab Republic that were removed from its territory in 2014 have now been destroyed.

Activities carried out by the Secretariat with respect to Executive Council decisions EC-81/DEC.4 and EC-83/DEC.5

8. As reported previously, an invitation was sent to the Deputy Foreign Minister of the Syrian Arab Republic, H.E. Dr. Faisal Mekdad, and his delegation to resume high-level consultations to address the unresolved issues related to the Syrian Arab Republic's declaration, in accordance with Council decision EC-81/DEC.4 and paragraph 6 of Council decision EC-83/DEC.5. The planned consultations will be carried out on the basis of a matrix that summarises the issues pertaining to the Syrian declaration, after the Syrian Arab Republic has submitted, in advance of the consultations, any new documents and other information as requested by the Secretariat, in order to achieve tangible progress. The timing is currently under consideration, and the Director-General will report to the Council on these consultations.

9. In accordance with paragraph 11 of Council decision EC-83/DEC.5, the first inspections at the Barzah and Jamrayah facilities of the Syrian Scientific Studies and Research Centre took place from 26 February to 5 March 2017. Samples were taken by the inspection team and were sent to OPCW designated laboratories for analysis. The Secretariat is awaiting the analysis results before completing the final inspection report.

Other activities carried out by the Secretariat with respect to the Syrian Arab Republic

10. As previously reported, amendments to the tripartite agreement between United Nations Office for Project Services (UNOPS), the OPCW, and the Government of the Syrian Arab Republic and to the contribution agreement between the OPCW and UNOPS are currently under review. These amendments will extend the support provided by UNOPS to the OPCW Mission in the Syrian Arab Republic until the end of December 2017, and ensure that the necessary administrative and logistical support is provided to the OPCW-United Nations Joint Investigative Mechanism (JIM).

11. As requested by the Council at its Seventy-Fifth Session (paragraph 7.12 of EC-75/2, dated 7 March 2014), the Secretariat, on behalf of the Director-General, has continued to brief States Parties in The Hague on its activities.

12. As at the cut-off date of this report, one OPCW staff member was deployed as part of the OPCW Mission in the Syrian Arab Republic.

Supplementary resources

13. As previously reported, a Trust Fund for Syria Missions was established in November 2015 to support the FFM and other remaining activities, such as those of the Declaration Assessment Team. As at the cut-off date of this report, contribution agreements totalling EUR 9.7 million had been concluded with Canada, Chile, Finland, France, Germany, Monaco, New Zealand, the Republic of Korea, Sweden, Switzerland, the United Kingdom of Great Britain and Northern Ireland, the United States of America, and the European Union.

Activities carried out with respect to the OPCW Fact-Finding Mission in Syria

14. As stated by the Director-General on 13 April 2017 during the Fifty-Fourth Meeting of the Council, the FFM is focusing its work on the allegations of use of chemical weapons on 4 April 2017 in the Khan Shaykhun area of southern Idlib in the Syrian Arab Republic, which reportedly resulted in the deaths of over 80 people, including children, and injuries to hundreds of others.

15. On 4 April 2017, a note verbale was sent to the Syrian Arab Republic requesting its authorities to share, as soon as possible, any information they might have about the incidents reported by the media on that day. A similar note verbale was also sent on 5 April 2017 to all States Parties. Additionally, at the request of the Syrian Arab Republic, the Director-General made available to all States Parties a letter regarding that incident, which was received on 5 April 2017 from the Deputy Foreign Minister of the Syrian Arab Republic, H.E. Dr. Faisal Mekdad.

16. On 11 April 2017, the Director-General received another letter from H.E. Dr. Faisal Mekdad, inviting the OPCW to deploy a technical mission to both Khan Shaykhun and Al-Shayrat airbase "to establish the facts with respect to what really happened, in an exhaustive and transparent manner". In a letter received on 13 April 2017, the Foreign Minister of the Russian Federation, H.E. Sergey Lavrov, requested the preparation of an ad hoc mission to visit Khan Shaykhun and Al-Shayrat airbase.

17. During the resumption of the Fifty-Fourth Meeting of the Council on 19 April 2017, the Director-General explained that while the FFM had not yet been able to visit the said location and review original records in situ, the team had to date collected facts in the form of:

(a) witness interviews and statements (taken as audio and/or video recordings), as well as documents, photos, and videos handed over by witnesses. The collection process was still ongoing;

(b) various biomedical samples collected in the presence of team members, either from patients undergoing treatment or at autopsy. Such samples had been sent to OPCW designated laboratories; and

(c) environmental samples collected by witnesses and/or representatives of non-governmental organizations.

18. The biomedical samples collected from three victims at autopsy were analysed at two OPCW designated laboratories. The results of the analyses indicated that these victims were exposed to sarin or a sarin-like substance. Biomedical samples from seven individuals undergoing treatment at hospitals were also analysed at two other OPCW designated laboratories. Similarly, the results of these analyses indicated exposure to sarin or a sarin-like substance.

19. The FFM is currently continuing the process of interviews, evidence management, and sample acquisition. A first interim report is expected to be

completed in the coming weeks, at which time it will be submitted for the consideration of the States Parties and shared with the JIM.

20. At the aforementioned Fifty-Fourth Meeting of the Council, a draft decision entitled "Addressing the Situation Around the Alleged Use of Chemical Weapons in the Khan Shaykhun Area of Southern Idlib in the Syrian Arab Republic" (EC-M-54/DEC/CRP.1, dated 13 April 2017) was circulated by the Islamic Republic of Iran and the Russian Federation. A revised version of the draft decision (EC-M-54/DEC/CRP.1/Rev.1, dated 19 April 2017) was further amended on 20 April before being considered by the Council and put to a vote. The draft decision was not adopted.

21. The FFM has also continued its work to investigate the allegations of use of chemical weapons at Um-Housh on around 15 and 16 September 2016, as requested by the Syrian Arab Republic in a letter dated 29 November 2016. Based on the interviews carried out by the FFM and the documents and other related materials reviewed, as well as the results of blood sample analyses, the FFM can confirm that the two female casualties reported to have been involved in the incident in Um-Housh were exposed to sulfur mustard. The report on this incident will be submitted for the consideration of States Parties in the coming days, and will also be forwarded to the JIM.

22. Guided by Council decisions EC-M-48/DEC.1 and EC-M-50/DEC.1 (dated 23 November 2015), as well as United Nations Security Council resolution 2209 (2015), the FFM continued to study all available information relating to the allegations of use of chemical weapons in the Syrian Arab Republic.

Conclusion

23. The main focus of the future activities of the OPCW Mission in the Syrian Arab Republic will be on the activities of the FFM and on the implementation of Council decisions EC-83/DEC.5 and EC-81/DEC.4, as well as on the destruction and verification of the remaining aircraft hangar, confirmation of the status of the two stationary above-ground facilities, and annual inspections of the underground structures already verified as destroyed.

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Twenty-fifth semi-annual report of the Secretary-General to the Security Council on the implementation of Security Council resolution 1559 (2004)

1. The present report is the twenty-fifth semi-annual report of the Secretary-General on the implementation of Security Council resolution 1559 (2004). It provides a review and an assessment of the process of the implementation of the resolution since the report of my predecessor on the subject issued on 21 October 2016 (S/2016/882).

I. Implementation of resolution 1559 (2004)

2. Since the adoption of resolution 1559 (2004) on 2 September 2004, several of its provisions have been implemented, as highlighted in previous reports. The implementation of a number of provisions, including those relating to the existence and activities of Lebanese and non-Lebanese militias and the delineation of the Syrian-Lebanese border, however, remains pending. Progress has, in part, been affected by the conflict in the Syrian Arab Republic.

A. Sovereignty, territorial integrity, unity and political independence of Lebanon

3. With the adoption of resolution 1559 (2004), the Security Council aimed at strengthening the sovereignty, territorial integrity, unity and political independence of Lebanon under the sole and exclusive authority of the Government of Lebanon throughout the country, in line with the Taif Accords of 1989, to which all the political parties in Lebanon had committed themselves. This objective has remained the priority of my efforts to facilitate the implementation of all resolutions pertaining to Lebanon.

4. On 27 December 2016, the Cabinet agreed on its ministerial statement. As in 2014, in the statement, the commitment of Lebanon to resolution 1701 (2006) and its intention to address the needs of the Lebanese Armed Forces and security services were reaffirmed. It was also emphasized that "Lebanese citizens have a right to resist Israeli occupation, ward off its attacks and recover occupied territories".

5. In both the ministerial statement and the President's oath of office, the need to keep Lebanon out of foreign conflicts and to comply with the Charter of the League

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of Arab States was noted. In the statement, a national counter-terrorism strategy was referred to and it was noted that a national defence strategy would have to be agreed upon through dialogue.

6. In the ministerial statement, the new Government noted that "the Lebanese-Palestinian dialogue should be promoted so as to avert tensions in the camps and the use of weapons, which is counterproductive and unacceptable to the Lebanese people and its Government". For the first time, the Government committed itself to strengthening the role of women in public life and pledged to work with the Parliament to institute a quota for women in the electoral law.

7. The President, Michel Aoun, and the Prime Minister, Saad Hariri, attended the summit of the League of Arab States in Amman on 29 March. Before the summit, five former presidents and prime ministers of Lebanon sent a letter to the League of Arab States in which they emphasized the commitment of Lebanon to international resolutions, in particular Security Council resolution 1701 (2006), rejected illegal arms and expressed support for the Baabda Declaration and the disassociation policy. In his speech at the summit, the President emphasized the importance of dialogue in ending conflicts in the region and the readiness of Lebanon to assist in that regard.

8. Ahead of the legislative elections to be held before the expiration of the Parliament's term on 20 June, the President and the Government clearly expressed, in the oath of office and the ministerial statement, support for a new electoral law. Political leaders have continued their efforts to reach consensus on such a law. The Prime Minister has repeatedly stated his expectation that the new legislation would include a quota for women. On 12 April, the President postponed the convening of Parliament for a period of one month on the basis of article 59 of the Lebanese Constitution with a view to creating more time for discussions on the new electoral law. On 18 April, the International Support Group for Lebanon issued a statement encouraging the country's leaders to make maximum use of the time until 15 May, the date on which the Speaker, Nabih Berri, intends to call for a Parliament session, to intensify their efforts and agree upon an electoral framework for free and fair elections, in accordance with the Constitution.

9. In line with the Government's stated focus on economic priorities and governance, intensive discussions have taken place on the development and approval of a budget. On 27 March, the Cabinet endorsed the draft State budget and submitted it for parliamentary ratification. The last State budget was approved in 2005.

10. The Cabinet agreed on key security appointments on 9 March. General Joseph Aoun succeeded General Kahwaji as Commander of the Lebanese Army, and Major General Imad Othman assumed the post of Director General of the Internal Security Forces.

11. The number of registered refugees from the Syrian Arab Republic hosted by Lebanon remained at slightly more than 1 million. By the end of 2016, $1.13 billion had been received under the Lebanon Crisis Response Plan, amounting to 53 per cent of the overall appeal. At the Conference on Supporting the Future of Syria and the Region held in Brussels on 4 and 5 April 2017, a total of $6 billion was committed by donors for the Syrian Arab Republic and the region for 2017, and $3.7 billion was committed for 2018 to 2020. In the statements made by the Prime Minister at the conference, he expressed his concern over the level of tensions between Lebanese host communities and Syrian refugees.

12. The dialogue between the Future Movement and Hizbullah continued, with a view to preventing tensions along sectarian lines. In all five dialogue sessions held

during the reporting period, the two parties emphasized the need for agreement on a new electoral law. Following the session held on 20 March, both parties categorically rejected the possibility of a parliamentary vacuum and urged all forces to pursue their consultations with the aim of agreeing on a new law.

13. In its resolution 1680 (2006), the Security Council strongly encouraged the Government of the Syrian Arab Republic to respond positively to the request of the Government of Lebanon to delineate their common border. This remains critical to enabling proper border control and management, including of the movement of people and potential movements of arms. Progress remained difficult to achieve, in part owing to the conflict in the Syrian Arab Republic.

14. The delineation and demarcation of the boundaries of Lebanon remain elements essential to guaranteeing national sovereignty and territorial integrity. While border delineation is a bilateral matter, progress on the matter remains an obligation of the two countries, in accordance with Security Council resolutions 1559 (2004) and 1680 (2006).

15. Cross-border violations of Lebanese sovereignty and territorial integrity continued on the eastern and northern borders. On three occasions in March, Syrian military aircraft targeted militants in the outskirts of Arsal in an area where the Lebanese-Syrian border is not delineated, causing no casualties. There were reports of 10 cross-border shooting incidents that involved the Syrian army and one incident of shelling from the Syrian Arab Republic.

16. In violation of the sovereignty of Lebanon and resolutions 1559 (2004) and 1701 (2006), Israel continued to occupy the northern part of the village of Ghajar and an adjacent area north of the Blue Line. There was no progress in relation to the issue of the Shab'a Farms area during the reporting period.

17. Unmanned aerial vehicles and fixed-wing aircraft, including fighter jets of the Israel Defense Forces, continued to make almost daily overflights of Lebanon during the reporting period, in violation of Lebanese sovereignty and resolutions 1559 (2004) and 1701 (2006). In identical letters dated 23 February 2017 addressed to me and the President of the Security Council (A/71/816-S/2017/171), the Permanent Mission of Lebanon asserted that, since the adoption of resolution 1701 (2006), Israel had violated the sovereignty of Lebanon by land, sea and air on a daily basis.

B. Extension of control of the Government of Lebanon over all Lebanese territory

18. The Lebanese Armed Forces remained at the forefront of the efforts of Lebanon to protect its stability and extend the State's authority throughout its territory. Nevertheless, that endeavour continued to be challenged, as Lebanese citizens, including members of Hizbullah, remained involved in the fighting in the Syrian Arab Republic.

19. Four regiments of the Lebanese Armed Forces were deployed on the eastern border, maintaining an important presence of State authority in this vulnerable area. On 5 December 2016, a soldier from the Lebanese Armed Forces was killed and another injured in an attack reportedly perpetrated by Islamic State in Iraq and the Levant (ISIL) against an army checkpoint in the northern town of Biqa' Safrin. Army units conducted raids in the area in search of the gunmen, which resulted in the arrest of several suspects. Nine of the members of the Lebanese security forces abducted in 2014, allegedly by the former Nusrah Front and ISIL, remained in detention.

20. The Lebanese security services also pursued their efforts to prevent terrorist attacks in the country. According to the Lebanese authorities, their forces were successful in thwarting a number of potential attacks, such as the attempt to attack a café in the Hamra neighbourhood of Beirut on 21 January 2017. The alleged perpetrator had reportedly pledged allegiance to ISIL and was brought before a court on 26 January. In that connection, a number of arrests were made in Sidon, including some of alleged supporters of Sheikh Ahmad al-Assir. Arrests of individuals suspected of terrorist activities or attacks continued, including of a man allegedly involved in the attack against Kasarah on 31 August 2016.

21. The Lebanese Armed Forces continued their operations against violent extremists in and around the town of Arsal. On 25 November, the Lebanese Armed Forces launched a major operation that resulted in the arrest of 11 individuals, including one alleged to be an ISIL senior commander responsible for coordinated attacks involving booby-trapped cars and suicide bombers in the country, including the attacks in 2014 on Arsal. The President publicly praised this unprecedented security operation by the army.

22. The level of support from the international community helped to sustain the Lebanese Armed Forces in their efforts to prevent and respond to threats to the country's stability. They continued to make progress in establishing border observation posts along the border between the Syrian Arab Republic and Lebanon as part of a project funded by the United Kingdom of Great Britain and Northern Ireland and Canada. As part of its support package to Lebanon, the United States of America delivered an armed Cessna aircraft to the Lebanese Air Force.

23. In the context of two separate abductions of Lebanese citizens, one of whom was killed and the other released, in the Biqa' region on 18 and 20 January 2017, the Minister of the Interior, Nohad Machnouq, stated, on 22 January, that he had consulted with the President and the Prime Minister with regard to developing a security plan aimed at combating kidnappings.

C. Disbanding and disarmament of Lebanese and non-Lebanese militias

24. In its resolution 1559 (2004), the Security Council called for the disbanding and disarmament of all Lebanese and non-Lebanese militias, a key provision of the resolution that has not yet been implemented. It reflects and reaffirms a decision to which all Lebanese committed themselves in the Taif Accords. It is critical that the Accords be preserved and implemented by all in order to avoid the spectre of a renewed confrontation among the Lebanese and to strengthen the institutions of the State. The Lebanese State should pursue its efforts to achieve a monopoly on the possession of weapons and the use of force throughout its territory.

25. Lebanese and non-Lebanese militias within the country continued to operate outside the control of the Government, in violation of resolution 1559 (2004). While several groups across the political spectrum in Lebanon possess weapons outside government control, Hizbullah is the most heavily armed militia in the country. In a democratic State, it remains a fundamental anomaly that a political party maintains a militia that has no accountability to the democratic, governmental institutions of the State and that has the power to take that State to war without any public accountability or parliamentary review. The maintenance of arms and the alleged increase in arsenals by Hizbullah and other groups pose a serious challenge to the State's ability to exercise full sovereignty and authority over its territory. In addition, several Palestinian armed groups continued to operate in the country inside and outside the refugee camps.

26. There has been no tangible progress towards the disbanding and disarming of Lebanese and non-Lebanese militias, as called for in the Taif Accords and resolution 1559 (2004). Since the adoption of that resolution, no specific steps have been taken to tackle this crucial issue, which lies at the heart of the sovereignty and political independence of Lebanon. The maintenance by Hizbullah of a military arsenal outside a legal framework and its involvement in the Syrian Arab Republic continued to be denounced by a number of voices in Lebanon, who consider these to be destabilizing factors in the country and ones that undermine democracy. Many Lebanese see the continued presence of such arms as an implicit threat for use within Lebanon for political reasons.

27. On 11 February 2017, in an interview with a foreign media outlet, the President stated, in response to a question about Hizbullah and its weapons, that there was a "need for its presence to complement the role of the army" and that it was "an essential part of defending Lebanon". On 13 February 2017, in another media engagement, the President stated that the issue of Hizbullah's weapons was subject to the national defence strategy, while reiterating that Lebanon had to "use special means for fighting, in which regular and popular forces take part", since the country was "unable to assemble a military force capable of confronting those forces" that represent a threat to it.

28. On 14 February, the Prime Minister, on the occasion of the commemoration of the assassination of the former Prime Minister, Rafic Hariri, delivered a public address in which he noted the sharp disagreement among Lebanese political actors about Hizbullah's weapons and stated that what protected the country was the consensus on the army, the legitimate forces and the State, and only the State.

29. In identical letters dated 13 February 2017 addressed to me and the President of the Security Council (S/2017/133), the Permanent Representative of Israel conveyed his Government's view that the statement made by the President of Lebanon on 11 February was "actively encouraging and legitimizing Hizbullah activity", in violation of resolutions 1701 (2006) and 1559 (2004). This message was repeated in identical letters dated 17 February 2017 addressed to me and the President of the Security Council (S/2017/148).

30. On 14 February, my Deputy Spokesperson recalled that the Security Council, in its resolutions 1559 (2004), 1680 (2006) and 1701 (2006), had called for the disbanding and disarmament of all Lebanese and non-Lebanese militias and that, in my predecessor's reports, it had been stated that militias should be disarmed. My Deputy Spokesperson also encouraged Lebanon to seize the current political momentum to resume discussions on a national defence strategy. No sessions of the National Dialogue were held during the reporting period. On 17 March, the Security Council members reaffirmed to the press their strong support for the territorial integrity, sovereignty and political independence of Lebanon and for the full implementation of resolutions 1559 (2004), 1680 (2006) and 1701 (2006).

31. The participation of Hizbullah and other Lebanese groups in the conflict in the Syrian Arab Republic continued to breach the disassociation policy of Lebanon. In a public speech on 23 December 2016, the Secretary-General of Hizbullah, Hassan Nasrallah, praised the outcome of the battle of Aleppo as a "big military, political and moral development" for the movement and a victory that Hizbullah should "build on militarily and politically", stating that it could "open new fronts for political solutions".

32. On 13 November 2016, a Hizbullah military parade with a large number of fighters as well as vehicles and equipment was reported to have taken place near Qusayr in the Syrian Arab Republic. On this occasion, the Head of the Executive Council of Hizbullah reportedly addressed the parade as a representative of the

Secretary-General of Hizbullah. The Deputy Secretary-General of Hizbullah, Naim Qassem, was quoted in a Lebanese newspaper shortly thereafter as saying "we now have a trained army and we do not need to rely on guerrilla tactics". The Hizbullah press bureau later issued a formal denial of those statements.

33. On 15 November, the Lebanese Armed Forces issued a formal statement in response to media reports speculating that the equipment presented at the parade could have belonged to them, denying that any of their equipment had been taken. In response to other allegations that some of the vehicles displayed at the parade may have been made in the United States, a spokesperson for the Department of State of the United States, on 21 December, also denied that the vehicles were from the Lebanese Armed Forces and confirmed that the Lebanese Armed Forces had fully complied with end-use monitoring requirements.

34. Allegations that the Beirut airport was being used as an entry point for weapons being transferred to Hizbullah were rejected. In identical letters dated 21 November 2016 addressed to my predecessor and the President of the Security Council (S/2016/987), the Permanent Representative of Israel alleged that the Islamic Revolutionary Guard Corps was "using commercial flights from Iran to Lebanon to transfer arms and related material to Hizbullah" either through direct air shipments from the Islamic Republic of Iran to Rafic Hariri International Airport in Beirut, or through Damascus, in violation, among others, of Security Council resolution 1559 (2004). In a letter dated 22 November 2016 (S/2016/992), the Permanent Mission of the Islamic Republic of Iran denied accusations that it had violated United Nations resolutions as "baseless and unsubstantiated". On 24 November, the Chair of Rafic Hariri International Airport issued a statement strongly refuting those allegations as well. In identical letters dated 25 January 2017 (A/71/770-S/2017/80), the Permanent Representative of Lebanon conveyed a statement by the Ministry of Defence of Lebanon to the effect that it was "fully committed to implementing Security Council resolution 1701 (2006), especially with respect to the prohibition on the entry or smuggling of weapons to any party whatsoever through Lebanese State facilities".

35. Against the backdrop of an alleged strike by the Israeli Air Force on several targets in the Syrian Arab Republic on 17 March, the Prime Minister of Israel, Benjamin Netanyahu, stated in a video recording from his office, which was broadcast on Israeli television the same day, that: "When we identify attempts to transfer advanced weapons to Hizbullah and we have intelligence and it is operationally feasible, we act to prevent it. That's how it has been in the past, and that's how it will be in the future".

36. On 9 November 2016, the head of the pro-Damascus Arab Tawhid Party and former Minister, Wiam Wahhab, was quoted as announcing that a group affiliated with his party, named the Tawhid Brigades, would start operating in all Lebanese regions. According to media reports quoting Mr. Wahhab, the group would "stand by the Lebanese army and Lebanese security forces in repelling any threat that Lebanon might face" while being a civil brigade that refuses to use arms, except for self-defence and to support the Army and security forces and to face any Israeli aggression, as part of the resistance. On 24 November, Mr. Wahhab reportedly stated that those brigades had held an unarmed paramilitary parade.

37. On 31 March 2017, Hizbullah units reportedly raided warehouses said to be housing illicit drugs in the Burj al-Barajinah area of southern Beirut, a few weeks after Lebanese security forces carried out a raid in the same area. The Minister of the Interior, in response to what he called a "military display", stated that such action was "completely and utterly condemned and rejected. It is a slap in the face at the beginning of a new presidential term and a challenge to the very logic of

having a State". He emphasized the Government's intent to respond through the further extension of State authority as the only authority. He also rejected "all forms of self-security".

38. The situation in the Palestine refugee camp of Ein El Helweh remained tense during the reporting period, with three rounds of violence in December 2016 and in February to March and April 2017. In one of the most severe outbreaks of violence in 2016, eight people died and several others were wounded as a result of clashes that involved the use of mortars and heavy artillery and lasted several days starting on 21 December, leading many of the camp's residents to seek shelter elsewhere. The clashes were initially prompted by the killing of a member of the Asbat al-Ansar faction by unidentified assailants and subsequently led to fighting between members of Fatah and radical extremist groups. In a statement made on 22 December, the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) condemned the violence and called for restraint. The Agency temporarily suspended its operations at various dates between 21 December 2016 and 3 January 2017.

39. On 18 February 2017, following the resignation of the head of the joint Palestinian security forces in Ein El Helweh and the withdrawal of Fatah and Hamas from participation in the forces, the forces were dismantled. Clashes between Fatah and other groups resumed from 23 to 28 February, resulting in two people being killed. Despite the signing of a ceasefire agreement on 26 February, fighting spread shortly thereafter to the entire camp, which resulted in a boy being killed and several civilians being injured, including one UNRWA staff member. Some 100 families were reportedly displaced during this new wave of violence. Five UNRWA facilities were used as barracks by armed groups. On 3 March, UNRWA issued a statement strongly condemning the use of its installations by armed actors, in violation of the inviolability and neutrality of United Nations premises. On 28 February, the various factions agreed upon a new ceasefire that included the resumption of a joint security agreement and the handover by Palestinian factions of a number of fugitives to the Lebanese authorities.

40. On 1 March, the Prime Minister chaired a ministerial-level meeting on the situation in the camp, in addition to having convened meetings with a number of stakeholders in Sidon. Mediation efforts were also made by the President of the State of Palestine, Mahmoud Abbas, during his visit to Lebanon from 23 to 26 February. Nevertheless, from 23 to 25 March, new clashes were reported, in which three people were killed. Armed clashes also occurred on 8 and 10 March in the Beddawi and Burj al-Barajinah camps, respectively, during which two individuals were killed. These incidents were seemingly unrelated to those in Ein El Helweh. The alleged links between radical groups in Palestine refugee camps and terrorist cells outside the camps also point to the continued risks resulting from the maintenance of weapons in the camps.

41. New security forces were deployed to Ein El Helweh, but despite this a new round of violence erupted in the camp on 7 April and lasted five days. These clashes, between an Islamist group led by Bilal Badr and the security forces, reportedly resulted in nine deaths and 104 people being wounded, among them numerous civilians, as at 13 April. The clashes also led to the localized displacement of some civilians. UNRWA called on all armed factions in the camp to stop the violence, respect the rule of law and ensure the protection of Palestine refugees, particularly children.

42. The presence of Palestinian armed groups outside the camps also continued. Notwithstanding the decision taken in 2006 by the National Dialogue and confirmed at subsequent sessions, no progress was made during the reporting period with

regard to dismantling the military bases of the Popular Front for the Liberation of Palestine-General Command and Fatah al-Intifada in the country.

II. Observations

43. I welcomed the election of a President, the designation of a Prime Minister and the formation of a Government in my latest report on the implementation of Security Council resolution 1701 (2006) (S/2017/201). I reiterate that these steps are vital starting points for institutions in Lebanon to be restored to their full functioning.

44. With the election of a President, the third since resolution 1559 (2004) was adopted, and the formation of a Government, Lebanon has an opportunity to make progress on the implementation of the outstanding provisions of resolution 1559 (2004), including the extension of its authority throughout its territory, the delineation of the Syrian-Lebanese border and ensuring the disbanding and disarmament of all Lebanese and non-Lebanese militias. In that regard, I note that the National Dialogue is under the direct authority of the President, and I encourage the President to seize the current political momentum to resume discussions on a national defence strategy within that forum.

45. I also note favourably the political momentum that seems to be prevailing since the election. The adoption of a budget for the first time in 12 years would be a significant milestone and another step towards full institutional functioning.

46. As political leaders discuss possible changes to the electoral law, it is important that the political capital resulting from the hard-won agreement on the Presidency not be jeopardized through the paralysis of another State institution, the Parliament. There should be no further delays in taking appropriate steps to hold the elections so that the Parliament is fully restored to its legislative function and that all three powers function simultaneously and effectively.

47. I take note of the media statement made by the President on 13 February 2017 as a clarification of his earlier statement of 11 February. I urge Lebanon to express uncontrovertibly and with one voice its continued commitment to resolution 1559 (2004) and other relevant Security Council resolutions. It is essential that the stagnation in the implementation of the resolution does not lead to an endorsement of militias maintaining their weapons.

48. The reiteration by Lebanon of its commitment to international resolutions in its ministerial statement is positive, and its stated intent to promote the Lebanese-Palestinian dialogue is in line with resolution 1559 (2004). I call upon Lebanon to renew its commitment to the disassociation policy and the Baabda Declaration.

49. The widespread proliferation of weapons outside the control of the State, combined with the existence of heavily armed militias, undermines the security of Lebanese citizens. The maintenance by Hizbullah of sizeable and sophisticated military capabilities outside the control of the Government of Lebanon remains a matter of grave concern. I call upon all concerned to contribute to efforts to reinforce the institutions of the Lebanese State. I reiterate my call upon Hizbullah and all other parties concerned not to engage in any military activity inside or outside Lebanon, consistent with the requirements of the Taif Accords and resolution 1559 (2004).

50. I continue to urge the Government and armed forces of Lebanon to take all measures necessary to prohibit Hizbullah and other armed groups from acquiring

weapons and building paramilitary capacity outside the authority of the State, in violation of resolution 1559 (2004).

51. I also call upon countries in the region that maintain close ties with Hizbullah to encourage the transformation of the armed group into a solely civilian political party and its disarmament, in accordance with the requirements of the Taif Accords and resolution 1559 (2004), in the best interests of Lebanon and regional peace and security.

52. The participation of Lebanese citizens in the conflict in the Syrian Arab Republic is a breach of the policy of disassociation and the principles of the Baabda Declaration. It presents considerable risks to the stability of Lebanon and challenges to its sovereignty. The involvement of Hizbullah in the Syrian Arab Republic for several years is contrary to resolution 1559 (2004), and demonstrates the failure of Hizbullah to disarm and its refusal to be accountable to the State institutions that the implementation of resolution 1559 (2004) was intended to strengthen. I am concerned at the reported involvement of Hizbullah elsewhere as well as that of Lebanese elements in fighting in the region, which poses risks to the stability of Lebanon and of the region. Such activities also make the prospect of the full implementation of resolution 1559 (2004) appear more remote. I call anew upon Hizbullah to step back from its involvement in the Syrian Arab Republic. I also remain deeply concerned about the continuing threat to Lebanon posed by terrorism and violent extremism, including from groups such as ISIL and the former Nusrah Front.

53. The continuous efforts made by the Lebanese Armed Forces to prevent and respond to threats to the stability of Lebanon are commendable. The support provided by the international community to build the capacity of the Lebanese Armed Forces and provide them with assets has been instrumental in increasing their ability to protect the country. It is essential that the confidence of international partners in the Lebanese Armed Forces be maintained. The continued commitment of Lebanon to relevant resolutions and to the guiding principles in partnerships with the international community is important. I call upon donors to maintain their critical support to the Lebanese Armed Forces.

54. I welcome the nomination of a new Commander of the Lebanese Armed Forces and other senior security officials. This is a positive sign not only of the new-found political consensus, but also of continued cross-sectarian political support of the Lebanese Armed Forces and of other important security services.

55. I appreciate the efforts of Lebanon aimed at extending its authority throughout its territory, including through renewed efforts to address the insecurity in the Biqa' region. I condemn the continued detention of the remaining Lebanese soldiers and security forces personnel held captive by ISIL in the eastern Lebanese-Syrian border area. I call upon those holding the remaining security personnel hostage to release them without further delay.

56. I welcome the ongoing cooperation between the various State security agencies and the Lebanese Armed Forces, which has contributed to the thwarting of attacks and various arrests of individuals allegedly plotting terrorist operations. I note that such operations and arrests should be conducted in accordance with international human rights law. It is in the national interest of Lebanon to ensure that those behind the perpetration of terrorist acts, including political assassinations, are held accountable and that violence is not committed with impunity. Broad political support for the various security operations, including subsequent judicial processes, sends a strong political message in that regard.

57. UNRWA continues to face extreme challenges in its efforts to deliver education, health, relief and social services to Palestine refugees in Lebanon. The Agency continues to face serious financial constraints and, in some cases, operates in a tense environment, characterized in Ein El Helweh by recurrent fighting among factions for control over territory. As noted by the General Assembly in its resolution 71/93, the Agency also faces a critical financial situation caused by the structural underfunding of its programmes. I call upon donors to urgently address the recurrent funding shortfalls affecting UNRWA operations, because doing so may contribute to the stabilization of the situation in the camps. Such efforts are without prejudice to the eventual resolution of the Palestine refugee question in the context of a comprehensive peace agreement in the region.

58. I note that the joint Palestinian security forces have been replaced with a new security arrangement serving as the main interlocutor of the Lebanese Armed Forces on security matters within the Ein El Helweh camp. I am concerned that the recent tensions in the camp point to the risk that factions and extremist elements could take advantage of a security vacuum. I hope that the new security arrangement will be maintained and call upon all concerned to refrain from resorting to violence. I note with concern the use of UNRWA premises by armed actors as barracks and recall the inviolability of United Nations premises.

59. The recent violence in Ein El Helweh and the resulting casualties demonstrate the persistent risks to the stability of Lebanon that arise from the maintenance of weapons outside the State's authority. I call upon the Government to pursue its efforts aimed at implementing the decisions of the National Dialogue taken in 2006, including on the disarmament of Palestinian militias.

60. I regret the absence of any progress on the delineation and demarcation of the border with the Syrian Arab Republic, which has a significant impact on border control, and continue to call upon the Syrian Arab Republic and Lebanon to make progress in the full delineation of their common border. I am encouraged by the positive impact of the efforts of international donors, including the United Kingdom, aimed at decreasing smuggling and improving border controls. I reiterate my view that integrated border management will, in the long term, contribute significantly to better control of the borders of Lebanon and help to prevent the illegal transfer of weapons and fighters in both directions, which has become an ever more pressing concern in the context of events in the Syrian Arab Republic.

61. I condemn all violations of the sovereignty of Lebanon. I continue to call upon all parties, including the Government of the Syrian Arab Republic, to respect the sovereignty and territorial integrity of Lebanon and to prevent cross-border violations, in accordance with Security Council resolution 1559 (2004). I also reiterate my call upon Israel to adhere to its obligations under relevant Security Council resolutions and to withdraw its forces from the northern part of the village of Ghajar and an adjacent area north of the Blue Line, as well as to cease immediately its overflights of Lebanese airspace, which undermine the credibility of the Lebanese security services and generate anxiety among the civilian population.

62. After more than six years of conflict in the Syrian Arab Republic, Lebanon continues to face the political, security, economic, humanitarian and social impacts of the crisis on its own soil, with persistent risks to its stability. I welcome the continuous generosity of Lebanon in responding to the crisis. As Lebanon underlined at the Brussels Conference, the continued and sustained presence of refugees requires immediate and significant support beyond the levels currently provided. I urge donors to build upon the momentum of the Brussels Conference by offering concrete commitments to the investment programme of Lebanon as the framework for the country's focus on stabilization and development.

63. Lebanon faces the opportunity for a reprieve owing to the gradual resumption of the work of most of its institutions. It is important that this opportunity be seized upon to move forward on the implementation of the outstanding provisions of resolution 1559 (2004). I therefore count on the continued commitment of the Government to its international obligations and call upon all parties and actors to fully abide by resolutions 1559 (2004), 1680 (2006) and 1701 (2006). The United Nations will continue its efforts towards the full implementation of those and all other resolutions pertaining to Lebanon.

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Security Council

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Letter dated 26 April 2017 from the Chair of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

On behalf of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism, and in accordance with the presidential statement of the Security Council of 11 May 2016 (S/PRST/2016/6), I have the honour to submit to the Council, for its further consideration, a document of the Counter-Terrorism Committee containing a proposal for a comprehensive international framework to counter terrorist narratives (see annex).

As requested by the Security Council, the proposal was prepared by the Counter-Terrorism Committee, in close consultation with the Counter-Terrorism Committee Executive Directorate and other relevant United Nations bodies and international and regional organizations, in particular the Counter-Terrorism Implementation Task Force Office, as well as interested Member States.

The Committee would be grateful if the present letter and its annex could be brought to the attention of the members of the Council for further consideration and issued as a document of the Council.

(*Signed*) Amr Abdellatif **Aboulatta**
Chair
Security Council Committee established pursuant to
resolution 1373 (2001) concerning counter-terrorism

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Annex

Comprehensive international framework to counter terrorist narratives

1. The Counter-Terrorism Committee proposes that the comprehensive international framework to counter terrorist narratives called for in S/PRST/2016/6 consist of three core elements: legal and law enforcement measures in accordance with obligations under international law, including international human rights law, and relevant Security Council resolutions and in furtherance of General Assembly resolutions; public-private partnerships; and the development of counter-narratives.

Legal and law enforcement measures in accordance with obligations under international law and consistent with United Nations resolutions

2. In its resolution 1624 (2005), adopted in September 2005, the Security Council condemns in the strongest terms the incitement of terrorist acts and repudiates attempts at the justification or glorification (*apologie*) of terrorist acts that may incite further terrorist acts. It also calls upon all States to adopt such measures as may be necessary and appropriate and in accordance with their obligations under international law to prohibit by law incitement to commit a terrorist act or acts and prevent such conduct. In resolution 1624 (2005), the Council also calls upon all States to take measures to prevent incitement to commit a terrorist act, to deny safe haven to any persons about whom there is credible and relevant information giving serious reasons for considering that they have been guilty of such incitement, and to strengthen international cooperation, including through enhanced border security and screening measures, with a view to preventing those guilty of such incitement from entering their territories. The Council further calls upon all States, in accordance with their obligations under international law, to prevent the indiscriminate targeting of different religions and cultures and prevent the subversion of educational, cultural, and religious institutions by terrorists and their supporters. In its Global Counter-Terrorism Strategy (resolution 60/288), the General Assembly resolved to "continue to work to adopt such measures as may be necessary and appropriate and in accordance with our respective obligations under international law to prohibit by law incitement to commit a terrorist act or acts and prevent such conduct".

3. Legal and law enforcement measures taken consistent with United Nations resolutions and Member States' obligations under international law to prohibit and prevent incitement to commit acts of terrorism are a core part of the comprehensive international framework to counter terrorist narratives. Based on its mandate from the Council to engage in dialogue with Member States on their efforts to implement resolution 1624 (2005), the Counter-Terrorism Committee has been engaged for nearly 12 years in assessing the implementation of resolution 1624 (2005) by States and identifying good practices. In January 2016, the Committee published its second global survey of the implementation of Security Council resolution 1624 (2005) by Member States (S/2016/50). In that document, the Committee noted that the threat of incitement to commit acts of terrorism had increased significantly worldwide, largely due to the increase in messaging transmitted over information and communications technology (ICT), as well as in more traditional venues, such as educational and religious institutions. The Committee also concluded that "even as incitement remains a persistent threat in many States around the world, Member States are also strengthening and diversifying their responses to the threat".

4. It should be recalled that, in all actions taken to counter and prevent incitement to commit terrorist acts, it is important to distinguish between

communications that may be criminal in nature and others that, while morally repugnant, do not rise to that level. In its resolution 1624 (2005), the Security Council stresses that States must ensure that any measures taken to implement the resolution comply with all of their obligations under international law, in particular international human rights law, refugee law and humanitarian law. In the preamble to the resolution, the Council recalls the right to freedom of expression reflected in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, reiterating that "any restrictions thereon shall only be such as are provided by law and are necessary on the grounds set out in article 19, paragraph 3, of the Covenant". Law enforcement approaches are undoubtedly appropriate in cases of criminal incitement, but the line between unlawful and lawful communications can be difficult to discern. As the United Nations Office on Drugs and Crime (UNODC) has observed, "simultaneously implementing both article 19 and article 20 [of the Covenant] to safeguard the right of every person to be free from the threat of violence, while protecting freedom of opinion and expression, necessitates careful choices of statutory policy and language".[1] In the context of preventing and countering terrorism, effective counter-terrorism measures and the protection of human rights are not conflicting goals, but complementary and mutually reinforcing.

5. In its resolution 1373 (2001), the Security Council also calls on States to intensify and accelerate the exchange of operational information in accordance with international law and domestic law and requires States to take steps to deny safe haven to those who finance, plan, facilitate or commit terrorist acts. It is clear that further efforts are necessary in this respect. INTERPOL can play an important role in these efforts. INTERPOL has strengthened its open-source intelligence collection capabilities and issues media content notifications to law enforcement agencies of Member States to support criminal investigations. Moreover, as part of its capacity-building efforts, INTERPOL works with Member States to train law enforcement officials in digital evidence exploitation to enhance investigations. Member States should rely more consistently on the resources provided by INTERPOL, as well as the technical support that is available through assistance providers such as the UNODC Terrorism Prevention Branch. Regional organizations also have an important contribution to make. For example, the Council of Europe Convention on the Prevention of Terrorism contains provisions on prevention and international cooperation, including with respect to "public provocation" to commit acts of terrorism.

6. In addition to resolution 1624 (2005), there are other Security Council resolutions that impose law enforcement obligations on States that are relevant to countering terrorist narratives. Council resolution 1373 (2001) obliges States to suppress recruitment of members of terrorist groups, and it further requires them to "ensure that any person who participates in the financing, planning, preparation or perpetration of terrorist acts or in supporting terrorist acts is brought to justice". In those instances in which narratives rise to the level of recruitment or other acts enumerated in resolution 1373 (2001), the Security Council has clarified that appropriate legal and law enforcement action should be taken.

7. The comprehensive international framework to counter terrorist narratives thus includes the ongoing work of the Security Council and its Counter-Terrorism Committee to promote effective implementation of the legal and law enforcement aspects of relevant Security Council resolutions, including resolutions 1373 (2001)

[1] United Nations Office on Drugs and Crime, Terrorism Prevention Branch, "Preventing terrorist acts: a criminal justice strategy integrating rule of law standards in implementation of United Nations anti-terrorism instruments", Technical assistance working paper (New York, 2006).

and 1624 (2005). The General Assembly's Global Counter-Terrorism Strategy and subsequent General Assembly resolutions are also relevant in this regard. The Council may wish, as part of the framework, to propose reinforced efforts by the Committee and the Executive Directorate, taken in consultation with the Counter-Terrorism Implementation Task Force Office and others, to promote implementation of the aspects of the Strategy relevant to enforcement action to counter terrorist narratives, consistent with the obligations of States under international law.

Public-private partnerships

8. The Security Council has long noted the importance of public-private partnerships in efforts to counter incitement to commit acts of terrorism. In its resolution 1624 (2005), the Council stressed that the business community, among others, has a role to play in fostering an environment that is not conducive to incitement of terrorism. In its resolution 2129 (2013), the Council noted the nexus between terrorism and ICT, in particular the Internet, and directed the Counter-Terrorism Committee Executive Directorate to continue to address this issue in consultation with all stakeholders, including the private sector. In its special meeting on preventing the exploitation of ICT for terrorist purposes, while respecting human rights and fundamental freedoms, held at United Nations Headquarters on 30 November and 1 December 2016, the Committee considered the role that private companies can play with respect to countering terrorist narratives online. The role of the Internet in the radicalization of vulnerable individuals to commit acts of violence, along with other factors, needs further research. Nonetheless, it is well known that the Islamic State in Iraq and the Levant (ISIL) and other terrorist entities are using ICT in increasingly sophisticated ways to facilitate their activities, among other platforms. There is also wide agreement that companies that maintain ICT platforms can continue to play an important role in preventing such abuse.

9. The Madrid Guiding Principles, adopted by the Committee following its special meeting on stemming the flow of foreign terrorist fighters, held in Madrid in July 2015 (see S/2015/939, annex II), include the following provision:

> States, regional organizations, the private sector and civil society should establish effective partnerships, with a view to developing improved methods for monitoring and studying terrorist content transmitted over the Internet and other communications technologies and countering incitement to commit terrorist acts, utilizing it for intelligence work and referring it, where appropriate, to relevant law enforcement agencies.

10. Calls by Member States for encouraging the support of the private sector in countering terrorist narratives and online propaganda have focused on both disruptive and preventive measures, as well as counter-messaging campaigns. In some jurisdictions, mechanisms have been introduced that bring public and private sector actors together to reduce the accessibility of terrorist content online, including by blocking, filtering or removing such content. The manner in which these arrangements are implemented depends upon the national context. In some countries, relevant authorities identify online terrorist content and inform companies of the potential abuse of their platforms. In some countries, national authorities cannot require the removal of content, on the basis that doing so would constitute a violation of their applicable human rights obligations, including those embodied in their constitutions.

11. Social media companies typically have terms of service that, if violated, provide a basis for taking down certain content. Many leading companies are proactively introducing voluntary measures to prevent the exploitation of their

products and services for terrorist purposes. These measures are largely approached from a content management perspective and involve, among other steps, modifying terms of service and community standards to prohibit terrorist content. Many ICT companies also allow users to flag content that violates their terms of service.

12. The Counter-Terrorism Committee Executive Directorate and the Switzerland-based non-governmental organization ICT4Peace launched a project in 2016 aimed at identifying emerging norms of voluntary self-regulation by the private sector in its responses to terrorist abuse of their products and services and highlighting public-private initiatives in this area. Under the project, an initial series of consultations with different stakeholders was organized during 2016 in Europe, North America, and Asia. Some private sector entities have shown interest in supporting the development of counter-narratives in cooperation with civil society, using their platforms. Information and communications technology firms have launched a number of innovative programmes and campaigns to empower those closest to vulnerable individuals, including youth, women, families and religious, cultural and educational leaders, to counter online violent extremism and terrorist propaganda.

13. At the regional level, the European Union Internet Forum, established in December 2015, brings together Member States, the private sector and civil society organizations to explore ways to tackle terrorist propaganda online, while respecting human rights. At the second European Union Internet Forum, held in December 2016, the Civil Society Empowerment Programme was launched to support civil society efforts to develop effective counter-narratives online in partnership with the private sector. The Global Network Initiative has maintained a dialogue with the ICT industry aimed at addressing the challenges faced by ICT companies in responding to Government requests to remove terrorist content from their platforms. The Initiative issued a new policy brief in November 2016 with recommendations for Governments and private companies on promoting and protecting freedom of expression and privacy rights, while responding to reports of violent extremist or terrorist content online.

14. The work of the United Nations and others, including Member States, in promoting public-private partnerships should be considered a core element of the comprehensive international framework to counter terrorist narratives. The Council may wish to direct the Committee to reinforce its efforts in this area, including through initiatives such as the Counter-Terrorism Executive Directorate-ICT4Peace project.

Counter-narratives

15. There has been greatly increased interest worldwide in the role of counter-narrative campaigns as part of a comprehensive approach to the threats of terrorism and violent extremism as and when conducive to terrorism. In its resolution 1624 (2005), the Security Council, in addition to calling for legal measures, calls upon States to "continue international efforts to enhance dialogue and broaden understanding among civilizations", and to "take all measures as may be necessary and appropriate and in accordance with their obligations under international law to counter incitement of terrorist acts motivated by extremism and intolerance". In its resolution 2178 (2014) on the threat posed by foreign terrorist fighters, the Security Council encourages States "to engage relevant local communities and non-governmental actors in developing strategies to counter the violent extremist narrative that can incite terrorist acts". In the same resolution, the Council also underscores the role that education can play in countering terrorist narratives.

16. Member States and others have observed that terrorists use many different tactics to try to recruit new adherents to their cause. Much attention has been paid to the abuse of ICT by terrorists, and there is no doubt that electronic media hold great appeal as an inexpensive, easily concealed and highly efficient means of communicating with a vast audience. Yet ICT is only one avenue used by terrorists to recruit; indeed, in many countries, large parts of the population do not have access to ICT. In both developed and developing countries, research shows that recruitment and radicalization to violence often occurs through direct contact in local communities, frequently through interactions with relatives and friends. In many countries, terrorists and their supporters have succeeded in subverting educational, cultural and religious institutions. Terrorists use tailored approaches in these and other settings to try to recruit vulnerable people, including women and girls. They often invest considerable time and resources in working to radicalize single individuals to violence. Prisons are another setting in which terrorist sympathizers use narratives to recruit and radicalize to violence. The effective countering of terrorist narratives therefore requires strategic thinking by the international community on a number of fronts, both online and on the ground, in local communities, schools, prisons and elsewhere. The effort must furthermore be scaled so as to match the scale achieved by terrorist narratives, both online and offline, in recent years.

17. Counter-narrative campaigns fall conceptually within the broader category of counter-incitement and common vulnerabilities and exposures strategies of States that aim to address factors that may lead to terrorism and violent extremism as and when conducive to terrorism. They tackle the motivations that lead certain vulnerable people to consider joining terrorist groups, in part by addressing issues such as feelings of alienation, discrimination, lack of economic opportunity and anger over unresolved conflict. It is now widely agreed that, in order to effectively counter terrorist narratives, States and others must enter more fully into the "marketplace of ideas", to emphasize terrorists' inhumanity, reveal the flaws in their arguments and offer alternative points of view. Many experts also believe that, in addition to counter-narratives, it is necessary to develop positive or alternative narratives that promote a more holistic world view, including by proposing non-violent ways to address grievances.

18. There can be no doubt that developing effective counter-narratives is challenging. Terrorist narratives are complex and come in different forms. They encompass a wide range of subjects, including, for example, the purported use of religious justifications for terrorist acts; the supposed glory of life on the battlefield; calls to action based on experiences of social injustice, human rights violations or abuses and discrimination; the sense of identity offered by a like-minded community; and, in the case of ISIL, the principles on which the so-called caliphate is based. Many different approaches could be taken to counter these narratives, including, for example, scholarly rebuttals by religious authorities on issues like tolerance and non-violence; contradicting evidence on life in battle zones (including the testimonies of former terrorists); personal stories of the impact of terrorism on victims and their families; and information on the scale and severity of human rights abuses committed by terrorist groups. Much depends on the context in which the narrative is communicated, including the national context. Much also depends on the psychological profiles of targeted individuals. For this reason, counter-narratives aimed at a large audience often need to be supplemented by one-on-one interventions, including through the work of community mentors, mental-health professionals and others. The level of critical thinking skills in target audiences is another factor that can greatly affect the impact of terrorist narratives.

19. Many States and experts in the field believe that focusing attention only on countering terrorist narratives is unlikely to succeed, in part because this only targets one facet of narratives that are often multilayered and complex. It is thus necessary, it is argued, also to offer alternative or positive narratives, especially when terrorists seek to exploit genuine grievances. Effective narratives must take into account genuine feelings of powerlessness and alienation and provide credible alternatives, especially to vulnerable young people searching for a sense of meaning in their lives. In its resolution 2178 (2014), the Security Council stressed the importance of Member States' efforts "to develop non-violent alternative avenues for conflict prevention and resolution by affected individuals and local communities to decrease the risk of radicalization to terrorism, and of efforts to promote peaceful alternatives to violent narratives espoused by foreign terrorist fighters". While acts of terrorism are criminal and unjustifiable, counter-narratives must still address underlying drivers by proposing non-violent avenues of change.

20. Countering terrorist narratives also presents the challenge of engaging with many different actors. Many States stress that States themselves must take the lead in this area and, furthermore, that counter-narrative efforts must respect the principles of the Charter of the United Nations, including the sovereignty of Member States. It is also widely felt, however, that successful counter-narrative campaigns require engagement with different stakeholders, including religious and community leaders, youth, women, victims of terrorism, civil society organizations, private sector entities and the media. In this challenging area of work, it is necessary to build strategic partnerships, share experiences and good practices internationally and remain dynamic in crafting effective responses. Given the high sensitivity of work in the area of counter-terrorism, it is also necessary to take steps to ensure the safety and security of all who become involved and to preserve the independence of civil society organizations. It is especially important, in most contexts, to avoid labelling the work of community actors as counter-terrorism.

21. Many States and independent experts believe that Governments acting on their own are not well suited to mounting effective counter-narrative campaigns. Instead, the most helpful role for Governments is often acting as a facilitator, "seeding" but not directing messaging efforts, and helping to identify sources of funding. Vulnerable young people are more likely to be convinced by the viewpoints of peers and role models than by official statements. A broad coalition is therefore necessary to effectively counter terrorist narratives, but for such a coalition to come together, it is necessary to build trust and a sense of common purpose among different actors.

22. The comprehensive international framework to counter terrorist narratives should therefore include the continued development of effective counter-narratives by all actors with contributions to make in this area.

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General Assembly
Security Council

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General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Seventy-second year

Identical letters dated 28 April 2017 from the Charge d'affaires a.i. of the Permanent Observer Mission of the State of Palestine to the United Nations addressed to the Secretary-General, the President of the General Assembly and the President of the Security Council

Regrettably, conditions in the Occupied State of Palestine, including East Jerusalem, continue to deteriorate and tensions continue to rise, as Israel, the occupying Power, persists with its illegal practices, in breach of international law, including humanitarian and human rights law, causing hardships and suffering to the Palestinian civilian population and undermining the contiguity and viability of the Palestinian territory.

Yet another provocative announcement was made this week by the Israeli Housing Ministry regarding plans for the illegal construction of more Israeli settlements on our land. This includes the decision by the so-called "Jerusalem Municipality" to advance a plan to build approximately 10,000 settlement units on land belonging to the Palestinian village of Qalandiya. Further plans reported include the expropriation of more Palestinian land in Ra's al-Amud in Occupied East Jerusalem to build a so-called information and visitor centre to serve the Jewish cemetery adjacent to Al-Aqsa mosque compound; a plan to expand the "Shilo" settlement to accommodate settlers evacuated from the "Amona" settlement that was built on private Palestinian land; and the establishment of a new settlement installation near the "Adam" settlement north-east of East Jerusalem.

Such announcements and the actual advancement of these plans are being made in grave breach of international law, in direct violation of relevant United Nations resolutions, and in deliberate contempt of the international community. Israel's disrespect for the Security Council in particular is glaring, especially in the wake of the unanimous adoption by the Council of resolution 2334 (2016), which, inter alia, unequivocally called for the immediate and complete cessation of all Israeli settlement activities in the Occupied Palestinian Territory, including East Jerusalem, and for respect by Israel of its legal obligations.

As Israel blatantly dismisses and defies the Security Council and its authoritative decisions, preferring instead to persist with its systematic settlement

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colonization schemes, it is damaging the Council's credibility and making a mockery of the rule of law and international norms. Such illegal actions also further obstruct and undermine the prospects for a peaceful and just solution in accordance with the two-State solution based on the 1967 lines, also as called for in resolution 2334 (2016) and as reflected in the long-standing international consensus on the Israeli-Palestinian conflict, a consensus that was again clearly reaffirmed in the Council debate of 20 April 2017 on this matter. Moreover, such actions totally fly in the face of efforts by concerned regional and international partners to revive a political horizon for peace negotiations to achieve that solution.

Israel must be held accountable for its violations before it completely sabotages the chances for peace and stability. The Security Council in particular has a duty to insist on and pursue the implementation of its own resolutions, including resolution 2334 (2016), and to demand compliance with its provisions without exception. The Palestinian Government has committed itself to respecting resolution 2334 (2016) and will continue to cooperate for the achievement of the resolution's ultimate objectives of promoting an end to the occupation and realizing a just, lasting and comprehensive solution on the basis of the relevant United Nations resolutions, the Madrid principles, the Arab Peace Initiative and the Quartet road map. If Israel, the occupying Power, persists with such actions, flouting the law and destroying the two-State solution, it must be the party held responsible for the failure of this globally endorsed vision for peace and its consequences.

Today, we must also highlight, once again, the critical issue of the 1,600 Palestinian prisoners who have been on hunger strike since 17 April 2017 in protest of the inhumane measures they are being subjected to in Israeli captivity, in violation of their basic rights and dignity. Through this peaceful, non-violent hunger strike — the "Freedom and Dignity" strike, now in its twelfth day — they seek to call attention to the plight of Palestinian prisoners and detainees and to have their appeals heard for more humane treatment, in line with international humanitarian and human rights law. But their peaceful appeals have been met with a typical punitive response by Israel, which is determined to crush any expression of rejection of the occupation and its illegal practices. Although many of the striking prisoners are now suffering declining health and illness, rather than address their requests, Israel has decided to intensify its ill-treatment of the hunger strikers, including by means of solitary confinement, sleep deprivation, separation and withdrawal of the salt the prisoners had been taking with water since the strike began. Incitement against the prisoners by Israeli leaders has also been rampant, with one Israeli minister declaring that the Government should be firm, "even if it means letting prisoners die".

As the situation worsens, tensions are rising in communities all across Occupied Palestine, including East Jerusalem. Protests have been held in Palestinian cities and towns in solidarity with the hunger strikers and all Palestinian prisoners and detainees, including by children, women, men and elected officials. Public sympathy with their plight is strong, as are the calls for an end to the suffering and injustice they and their families are enduring. Regrettably, however, Israeli occupying forces, disregarding the high sensitivities on the matter, which has affected nearly every Palestinian family under occupation, have confronted protesters with excessive force, with over 50 protesters injured as a result of tear gas inhalation and some shot with live or rubber bullets. We appeal to the international community to support the prisoners' hunger strike and to insist on Israel's respect for international law, specifically article 76 of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, which defines the rights of protected persons faced with detention by an occupying Power.

We renew our call today for the international community's urgent attention to the ongoing critical situation in Occupied Palestine, including East Jerusalem. Clear demands must be made for Israel, the occupying Power, to respect its obligations under international law and comply with United Nations resolutions, or face accountability. The future prospects for Palestinian-Israeli peace and security, as well as regional peace, are dependent upon this.

This letter is in follow-up to our 609 previous letters regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, which constitutes the territory of the State of Palestine. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 13 April 2017 (A/ES-10/749-S/2017/325), constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, acts of State terrorism and systematic human rights violations being committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators brought to justice.

I should be grateful if you would have the present letter circulated as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Feda **Abdelhady-Nasser**
Charge d'affaires a.i.

United Nations S/2017/377

Security Council

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1 May 2017

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Letter dated 24 April 2017 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to Security Council resolution 2345 (2017), by which the Council decided to extend until 24 April 2018 the mandate of the Panel of Experts, as specified in paragraph 26 of resolution 1874 (2009), and requested me to take the necessary administrative measures to that effect.

Accordingly, I wish to inform you that, after consulting with the Security Council Committee established pursuant to resolution 1718 (2006), I have appointed the following experts, as of 25 April 2017:

Mr. Benoît Camguilhem, missile issues and other technologies (France)

Mr. Hugh Griffiths, air transport (United Kingdom of Great Britain and Northern Ireland)

Mr. Dmitry Kiku, customs and export controls (Russian Federation)

Ms. Stephanie Kleine-Ahlbrandt, finance and economics (United States of America)

Ms. Maiko Takeuchi, nuclear issues (Japan)

Mr. Neil Watts, maritime transport (South Africa)

Mr. Jong Kwon Youn, non-proliferation, procurement and trade (Republic of Korea)

Mr. Jiahu Zong, other weapons of mass destruction and conventional arms (China)

I have designated Mr. Hugh Griffiths to serve as Coordinator of the Panel of Experts.

I should be grateful if you would bring this matter to the attention of the members of the Security Council.

(*Signed*) António **Guterres**

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United Nations S/2017/378

Security Council

Distr.: General
3 May 2017

Original: English

Letter dated 28 April 2017 from the Secretary-General addressed to the President of the Security Council

Pursuant to Security Council resolution 1244 (1999), I have the honour to transmit a letter dated 24 April 2017 from the Secretary-General of the North Atlantic Treaty Organization, Jens Stoltenberg, transmitting the report on the international security presence in Kosovo, covering the period from 1 January to 31 March 2017 (see annex).

I should be grateful if you would bring the present letter and its annex to the attention of the members of the Security Council.

(*Signed*) António **Guterres**

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Annex

In accordance with paragraph 20 of Security Council resolution 1244 (1999), I hereby attach a quarterly report on Kosovo Force operations covering the period from 1 January to 31 March 2017 (see enclosure). I would appreciate your making the report available to the members of the Council.

(*Signed*) Jens **Stoltenberg**

Enclosure

Report to the United Nations on Kosovo Force operations

1. The present report on the Kosovo Force (KFOR) is submitted in accordance with Security Council resolution 1244 (1999) and covers the period from 1 January to 31 March 2017.

2. As at 31 March 2017, the total number of KFOR troops in theatre was 4,300. During the reporting period, there were no major security incidents.

Security situation update and operations

3. During the reporting period, there were no major changes to the overall security situation in Kosovo, which remained stable. KFOR continued to monitor the situation on the ground. Serbia and Kosovo remain committed to the European Union-facilitated dialogue. One high-level meeting was held under this dialogue framework, on 1 February 2017.

4. On 5 March 2017, Hashim Thaçi announced that he would transform the Kosovo Security Force into the Kosovo Armed Force through a change to the relevant legislation. Following a strong reaction by the Secretary-General of the North Atlantic Treaty Organization (NATO) on 8 March, and bilaterally by many allies, Mr. Thaçi reconsidered his position and announced on 30 March that the transformation would take place through a constitutional amendment.

5. KFOR continued to work in close cooperation and coordination with the Kosovo Police and the European Union Rule of Law Mission in Kosovo (EULEX).

6. As part of its efforts to maintain an effective force posture in all sensitive areas, and respond immediately if required, KFOR conducted normal framework operations across the area of operations. There was no requirement for direct intervention by KFOR. On 29 March 2017, however, in view of the presidential elections to be held in Serbia on 2 April, the Head of Mission of the Organization for Security and Cooperation in Europe requested support from KFOR. Within the given mandate, KFOR provided support in contributing to maintaining a safe and secure environment and freedom of movement.

7. The NATO Secretary-General and the NATO Supreme Allied Commander Europe both visited KFOR during the reporting period, on 3 and 21 February 2017, respectively.

Summary

8. KFOR continued to fulfil its mandate under Security Council resolution 1244 (1999) to maintain a safe and secure environment and freedom of movement as part of a comprehensive international effort. The close coordination between KFOR (in its capacity as third security responder), EULEX and the Kosovo Police continued to be highly effective.

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Letter dated 28 April 2017 from the Secretary-General addressed to the President of the Security Council

Pursuant to Security Council resolution 1031 (1995), I have the honour to transmit the fifty-first report on the implementation of the Peace Agreement on Bosnia and Herzegovina, covering the period from 22 October 2016 to 21 April 2017, which I received from the High Representative for Bosnia and Herzegovina (see annex).

I should be grateful if you would bring the report to the attention of the members of the Security Council.

(*Signed*) António **Guterres**

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Annex

Letter dated 25 April 2017 from the High Representative for Bosnia and Herzegovina addressed to the Secretary-General

Pursuant to Security Council resolution 1031 (1995) of 15 December 1995, in which the Council requested the Secretary-General to submit to the Council reports from the High Representative on the implementation of the Agreement, in accordance with annex 10 to the General Framework Agreement for Peace in Bosnia and Herzegovina and the conclusions of the London Peace Implementation Conference of 8 and 9 December 1995, I transmit herewith the fifty-first report of the High Representative for Implementation of the Peace Agreement on Bosnia and Herzegovina. I would ask that the report be distributed to the members of the Council for their consideration.

This is my seventeenth regular report to the Secretary-General since I assumed the post of High Representative and European Union Special Representative, on 26 March 2009. The present report covers the period from 22 October 2016 to 21 April 2017.

Should you or a member of the Security Council require any information beyond what is provided in the report or have any questions regarding its contents, I would be pleased to provide you with that information.

(*Signed*) Valentin **Inzko**

Fifty-first report of the High Representative for Implementation of the Peace Agreement on Bosnia and Herzegovina

Summary

The present report covers the period from 22 October 2016 to 21 April 2017. There have been several challenges during this period, in particular concerning the political situation that has developed in Bosnia and Herzegovina as a result of the attempt to submit a request for revision of the judgment of the International Court of Justice of 26 February 2007 in the case concerning *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Serbia and Montenegro)*, and the activities of the Republika Srpska authorities to implement the results of an unconstitutional referendum by adopting the Law on the "Republika Srpska Day" and by observing the "Republika Srpska Day" holiday on 9 January.

The often turbulent political atmosphere notwithstanding, there were also a few positive developments with regard to the country's efforts towards integration with the North Atlantic Treaty Organization (NATO) and the European Union. These included the adoption by the Bosnia and Herzegovina Presidency of the long-outstanding defence review in November, the formal receipt of the European Union questionnaire by the authorities in December and the signing of the Protocol on the adaptation of the Stabilization and Association Agreement with the European Union in December, which put an end to a long process of negotiations between the European Union and Bosnia and Herzegovina on the issue.

As the close of the 10-year window within which Bosnia and Herzegovina could submit a request for revision of the above-mentioned judgment of the International Court of Justice approached in February, tensions arose between the Sarajevo-based parties, who supported the revision, and their Republika Srpska counterparts, who opposed it, including the Republika Srpska "Alliance for Changes" parties, which are part of the State-level coalition. The controversy centred around whether the previous agent, Sakib Softic, retained the mandate to submit such a request, as the Party of Democratic Action (SDA) and Bosniak war victims' associations maintained, or whether further action from the Presidency would be needed to renew his mandate, as the Republika Srpska-based parties asserted. Ultimately, the Court decided on 8 March not to consider the request for revision submitted by Mr. Softic on the grounds that no decision had been taken by the competent authorities on behalf of Bosnia and Herzegovina to request the revision.

These developments led to strong public criticism of the Bosniak member of the Bosnia and Herzegovina Presidency and President of SDA from the ruling coalition in the Republika Srpska and strained relations between SDA and its Serb coalition partners in the State-level Government. The controversy played out within the Bosnia and Herzegovina Presidency, which did not hold any regular sessions between 25 January and 11 April. The Bosnia and Herzegovina Parliamentary Assembly was also briefly affected, including the cancellation of at least one session due to lack of a quorum. The authorities in Serbia also negatively viewed the submitting of a request for revision, but they did not overreact.

Continued developments relating to the referendum held on 25 September in the Republika Srpska in contravention of the decisions of the Constitutional Court of Bosnia and Herzegovina also hindered political progress during the reporting period. In October, the Republika Srpska National Assembly adopted the Law on the Republika Srpska Day, which was presented as the implementing act of the referendum. In December, the Constitutional Court of Bosnia and Herzegovina decided that the Assembly decision of 15 July to hold a referendum was unconstitutional and annulled the referendum results.

On 9 January, despite the decisions of the Constitutional Court of Bosnia and Herzegovina determining the unconstitutionality of observing the date of 9 January as the "Republika Srpska Day" holiday, the Republika Srpska organized "Republika Srpska Day" celebrations in Banja Luka. Events included a parade of members of the police and civil protection services, sports associations and other groups, as well as the participation of some Serb members of the Armed Forces of Bosnia and Herzegovina.

During the reporting period, positive cooperation between Bosnia and Herzegovina and Serbia at the Government level continued, notwithstanding the overall negative political atmosphere within Bosnia and Herzegovina. In January, a delegation of the Council of Ministers of Bosnia and Herzegovina met in Belgrade with a delegation of the Government of Serbia to discuss bilateral cooperation, after which the Prime Minister of Serbia, Aleksandar Vučić, expressed clear support for the territorial integrity and sovereignty of Bosnia and Herzegovina. In March, Mr. Vučić visited Sarajevo to meet with other prime ministers from the region ahead of the annual Western Balkans Summit to be held in July 2017. Positive regional cooperation continued in April, with the meeting in Mostar of political leaders of Bosnia and Herzegovina, Croatia and Serbia.

Even as Bosnia and Herzegovina continues to progress towards Euro-Atlantic integration and regional relations improve, the country's persistent internal political turmoil remains a concern to its immediate neighbours. In an interview on 29 November, the President of Croatia cited "the instability of Bosnia and Herzegovina" as the greatest threat in the surrounding region, indicating that a potential internal conflict in that country could very quickly become a regional conflict.[2]

The rhetoric advocating for the dissolution of Bosnia and Herzegovina emanating from the Republika Srpska authorities, primarily the President of Republika Srpska, has lessened since the imposition of sanctions against him by the United States of America. Nevertheless, statements to that effect have been made during the reporting period,[3] and the possibility of a referendum on independence remains on the party platform of the ruling party in the Republika Srpska. Likewise, Croat leaders continue to advocate for the reorganization of the country along ethnic lines.[4]

Under the authority vested in me under annex 10 of the General Framework Agreement for Peace, I take this opportunity to reiterate that the entities have no right to secede from Bosnia and Herzegovina and that the Framework Agreement guarantees the sovereignty and territorial integrity of Bosnia and Herzegovina and the constitutional position of the entities.

[i] International Court of Justice, judgment of 26 February 2007 in the case concerning *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Serbia and Montenegro), Judgment, I.C.J. Reports 2007*, p. 43. In its judgment, the Court found that Serbia was neither directly responsible for nor complicit in the July 1995 Srebrenica genocide. The Court ruled that Serbia had committed a breach of the Convention on the Prevention and Punishment of the Crime of Genocide by failing to prevent the genocide, for not cooperating with the International Tribunal for the Former Yugoslavia in punishing the perpetrators, in particular former Republika Srpska Army General Ratko Mladic, and for violating its obligation to comply with the provisional measures ordered by the Court. As the only available legal remedy, the Statute of the Court envisages that a request for revision of the original judgment may be filed when based on the discovery of some fact of such a nature as to be a decisive factor and which was at the time of the judgment unknown to the party asking for the revision. An application for revision must be made not more than six months from the discovery of the new fact, and no later than 10 years following the date of judgment. The deadline for the submission of a request for revision was on 26 February 2017.

[ii] Jen Judson, "Interview: President of Croatia Kolinda Grabar-Kitarovic", *Defense News*, 29 November 2016.

[iii] "We are not adventurers. But we do not exclude organizing a referendum on the status [of the Republika Srpska] in the event that there is not a satisfactory solution for us." The President of Republika Srpska, Milorad Dodik, reported in *Nezavisne Novine* and other media from *TASS*, 2 March 2017.

[iv] "One of the ways to organize Bosnia and Herzegovina is clearly one in which Croats have their entity. That too can be an element of equality. I am personally working towards the organization of Bosnia and Herzegovina comprised of four territorial units." Croat member of Bosnia and Herzegovina Presidency and President of HDZ Bosnia and Herzegovina, Dragan Covic, N1 TV interview, 14 December 2016.

I. Introduction

1. This is my seventeenth periodic report to the Secretary-General since assuming the post of High Representative for Bosnia and Herzegovina in 2009. It provides a narrative description of progress made towards attaining goals outlined in previous reports, registers factual developments, logs citations relevant to the reporting period and provides my impartial assessment of the implementation of key areas falling under my mandate. I have focused my efforts on addressing those areas, in line with my responsibility to uphold the civilian aspects of the General Framework Agreement for Peace. In that respect, I have consistently encouraged the Bosnia and Herzegovina authorities to make progress on the five objectives and two conditions necessary for the closure of the Office of the High Representative and have worked to preserve measures that have been undertaken previously to implement the Framework Agreement.

2. I continue to direct my energies towards delivering my mandate as defined under annex 10 of the General Framework Agreement for Peace and relevant resolutions of the Security Council. In addition, my Office fully supports the efforts of the European Union and the North Atlantic Treaty Organization (NATO) to assist Bosnia and Herzegovina in moving towards closer integration with those bodies.

II. Political update

A. General political environment

3. Following a period of turbulence, the political situation in Bosnia and Herzegovina has generally stabilized, with some positive developments, especially in terms of regional relations. However, the overall dynamic whereby leading politicians focus excessively on ethnically divisive issues, while demonstrating a lack of urgency in addressing the need for real reforms, cannot be ignored.

4. The situation with regard to the rule of law in the country continues to deteriorate. Corruption is a serious problem, while authorities at all levels regularly disregard or openly reject the decisions of courts. For example, the Republika Srpska authorities continue to flaunt the constitutional order and the rule of law, not just ignoring decisions of the Constitutional Court of Bosnia and Herzegovina on the "Republika Srpska Day" holiday, but also adopting acts that implement the unconstitutional referendum and its annulled results. The Republika Srpska has also disregarded the judgment of the Bosnia and Herzegovina State Court concerning the registration of defence property.

5. On 17 January, the Office of Foreign Assets Control of the United States Department of the Treasury imposed travel and financial sanctions against the President of Republika Srpska, Milorad Dodik (Alliance of Independent Social Democrats (SNSD)), noting in a press release of 17 January that he has played a central "role in defying the Constitutional Court of Bosnia and Herzegovina in violation of the rule of law ... [and] poses a significant risk of actively obstructing [the implementation of the Dayton Accords]."

6. In the Federation, Croat parties continue to advocate for the "federalization" of Bosnia and Herzegovina, which increasingly appears to imply the further ethnic division of the country into three to four "federal units", one of which would have a Croat majority.

7. Equally troubling, the Bosniak member of the Bosnia and Herzegovina Presidency ignored the entreaties of his fellow Presidency members regarding the

role of the Presidency, and proceeded with his attempt to request a revision of the judgment of the International Court of Justice of 26 February 2007 in the case concerning *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Serbia and Montenegro)*, damaging relations within a key Bosnia and Herzegovina institution.

8. Increasingly, the authorities in Bosnia and Herzegovina appear unable to act even in their own self-interest in a win-win situation, such as to address the commitments made under the International Monetary Fund (IMF) Extended Fund Facility arrangement with Bosnia and Herzegovina. The completion of the first review of the performance of Bosnia and Herzegovina under the IMF Extended Fund Facility arrangement, and the second IMF disbursement to the country, are still awaiting the completion of several measures at the State and Federation levels. The failure to meet the IMF deadline for the completion of the first quarterly review, which allows for the release of the second tranche of funds, will additionally increase fiscal pressures on the country.

9. Even gains in regional relations appeared tenuous at times during the reporting period. On 31 October, the Bosnia and Herzegovina State Investigation and Protection Agency arrested 10 former members of the wartime Croat Defence Council on suspicion of war crimes committed against Serbs between April 1992 and July 1993 in the Orasje area. Those who were arrested held dual citizenship of Bosnia and Herzegovina and Croatia, which provoked reactions from neighbouring Croatia. The incident also served to highlight the lingering divisions within Bosnia and Herzegovina, given that the Croat member of the Bosnia and Herzegovina Presidency condemned the arrests, while the Serb and Bosniak members expressed surprise at the reaction from Croatia and insisted that the matter was within the jurisdiction of the judicial institutions of Bosnia and Herzegovina. The indictments against nine individuals for crimes against humanity and war crimes against prisoners of war were ultimately confirmed.

B. Decisions of the High Representative during the reporting period

10. Notwithstanding continued challenges to the rule of law and the General Framework Agreement for Peace during the reporting period, I continued to refrain from using my executive powers in line with the policy of the Steering Board of the Peace Implementation Council to emphasize "local ownership" over international decision-making.

C. Five objectives and two conditions for closure of the Office of the High Representative

Progress on objectives

11. Over the past six months, the Bosnia and Herzegovina authorities made limited progress towards meeting the outstanding requirements of the five objectives and two conditions set by the Steering Board of the Peace Implementation Council as prerequisites for the closure of the Office of the High Representative.

Defence property and State property

12. On 24 November, the Bosnia and Herzegovina Presidency adopted the long-awaited Defence Review, as well as the accompanying decision on the size, structure and location of the Armed Forces of Bosnia and Herzegovina, pursuant to

which the number of prospective defence locations is to be reduced from 63 to 57. The term "prospective defence property" refers to a defined list of immovable assets which are needed by the Armed forces of Bosnia and Herzegovina and should be registered to the Bosnia and Herzegovina State in line with the Agreement on Succession Issues, the Law on Defence and relevant decisions of the Bosnia and Herzegovina Presidency. In addition to being part of the conditions under the NATO membership action plan for the participation of Bosnia and Herzegovina, progress on the issue is one of the outstanding objectives set as a prerequisite for the transition of the Office of the High Representative.

13. Efforts to register prospective property under the ownership of the Bosnia and Herzegovina State continued during the reporting period, but the number of registered defence locations remains at 24, all located on the territory of the Federation. In recent months, the completion of the registration of the remaining properties located in the Federation has slowed considerably, primarily owing to technical and legal (rather than political) problems.

14. In the Republika Srpska, the process of registration of prospective defence property remains blocked due to political obstruction, as entity authorities have rejected several registration requests. The most prominent example is the case of the prospective defence location "Veliki Zep" in the municipality of Han Pijesak, in which the Republika Srpska Administration for Geodetic and Property Affairs and other authorities refuse to implement the final and binding July 2016 verdict of the Bosnia and Herzegovina Court, which determined that the ownership of the property was that of the State of Bosnia and Herzegovina and instructed the geodetic authorities to conduct the respective registration.

15. Instead of abiding by the Court's instruction, the Republika Srpska Administration for Geodetic and Property-related Affairs recently rejected the Bosnia and Herzegovina Public Attorney's request for registration, claiming that, there are no conditions to implement the ruling of the Bosnia and Herzegovina Court in this case. Instead, the State has been directed to initiate a court case before the District Court of the Republika Srpska, a clear attempt by Republika Srpska authorities to bring the case concerning Han Pijesak within the jurisdiction of its own judicial system rather than the State-level judiciary. In the meantime, following the final and binding second-instance verdict of the Bosnia and Herzegovina Court, the Republika Srpska submitted to the same court a request for revision of the verdict. The procedure is ongoing, but it is important to note that the extraordinary legal remedy of revision does not stay the enforcement of the court's final judgment.

16. Progress on the broader issue of how State property assets are to be apportioned between different levels of government remains elusive. Pursuant to the ruling of the Constitutional Court of Bosnia and Herzegovina of 13 July 2012, there is a "true necessity and positive obligation of [Bosnia and Herzegovina] to resolve this issue as soon as possible". More concretely, comprehensive State-level legislation must be adopted where the State of Bosnia and Herzegovina, as the titleholder and owner of State property, would regulate the issue of apportionment and distribution of State property assets by taking into consideration the interests and needs of the entities.

Fiscal sustainability

17. The Office of the High Representative continued to follow, analyse and inform its international partners on developments relating to fiscal sustainability, including developments in the Bosnia and Herzegovina Fiscal Council and the Governing Board of the Indirect Taxation Authority of Bosnia and Herzegovina.

18. The Bosnia and Herzegovina Fiscal Council held two sessions during the reporting period. On 22 November, the Fiscal Council and the IMF mission reached a staff-level agreement on the supplementary letter of intent, including measures required to complete the first quarterly review of the country's progress under the Extended Fund Facility arrangement approved in September. The authorities have failed to complete the agreed measures to date, thereby delaying consideration of the first review by the IMF Executive Board and the second IMF disbursement to Bosnia and Herzegovina. The 14 March Bosnia and Herzegovina Fiscal Council session only addressed technical issues of relevance for its activities.

19. The Governing Board of the Indirect Taxation Authority met seven times during the reporting period, which was more frequently than in the previous period, but with less substantive results. Continued disputes between the finance ministers and experts who sit together on the Board hampered its decision-making. Also evident were disagreements over issues of relevance to the IMF and the European Bank for Reconstruction and Development, as well as continued arguments over outstanding inter-entity debt settlements based on past indirect tax revenue allocations, which cumulatively show a Republika Srpska debt to the Federation of BAM 27.8 million.

Brcko District

20. Following the confirmation of the local elections held in October 2016, parties in the Brcko District quickly negotiated a majority, electing a mayor at the inaugural session of the Brcko District Assembly, on 15 November, and the new Brcko District government was fully operational by 16 January. In view of Bosnia and Herzegovina path towards integration with the European Union, a new Department for European Integration was created.

21. My Office continued to provide expert assistance to the Brcko District authorities, at their request, in preparing by-laws and addressing other issues needed for the implementation of four key pieces of financial legislation adopted in June 2016. The legislation is intended to further integrate the Brcko District with the legal system of Bosnia and Herzegovina, facilitate the implementation of the Bosnia and Herzegovina economic programme negotiated with the IMF and empower the District with instruments for increasing fiscal transparency, fighting the grey economy and generating revenues. My Office also provided support to the Brcko District Finance Directorate in preparing a new law on budget. The Brcko District has not yet adopted its 2017 budget and is functioning under a temporary financing decision.

22. In October, Vitomir Popovic voluntarily withdrew from the post of Arbitrator appointed by Republika Srpska in the Arbitral Tribunal for Dispute over the Inter-Entity Boundary in the Brcko Area and was replaced in November by Sinisa Karan, who previously headed the Republika Srpska Referendum Commission.

23. After the two arbitrators appointed by the Federation and the Republika Srpska failed to agree on the appointment of the replacement for former Presiding Arbitrator Roberts Owen, who passed away in March 2016, the President of the International Court of Justice announced, on 13 January 2017, the appointment of United States Ambassador John Clint Williamson. Mr. Williamson visited Bosnia and Herzegovina for the first time in his new capacity on 7 and 8 March.

24. Although observing 9 January as the "Republika Srpska Day" holiday was determined unconstitutional by virtue of decisions of the Constitutional Court of Bosnia and Herzegovina, the holiday was nonetheless observed in Brcko District, but on 10 January, with a reception hosted by the President of Republika Srpska, Mr. Dodik.

25. Although the decision on *Amendments to the Decision on Protection of Civilian Victims of War* entered into force on 18 June 2015, correcting discriminatory provisions for the victims of rape and sexual abuse in Brcko, the decision has thus far not been implemented.

Entrenching the rule of law

26. My Office continued to provide support to the Bosnia and Herzegovina authorities in the implementation of the Bosnia and Herzegovina Law on Foreigners and Law on Asylum, including assistance in the development of the rulebooks necessary for implementing the legislation.

D. Challenges to the General Framework Agreement for Peace

Challenges to the sovereignty and territorial integrity of Bosnia and Herzegovina

27. During the reporting period, there were numerous statements made which challenged the territorial integrity of Bosnia and Herzegovina, primarily by officials from SNSD, the ruling party in the Republika Srpska. The President of Republika Srpska, Mr. Dodik, who is also the leader of SNSD, continued to be the most frequent and vocal exponent of the dissolution of Bosnia and Herzegovina.[5]

Calls for redrawing of internal boundaries

28. Some Croat leaders continued to call for a new administrative and territorial organization of Bosnia and Herzegovina, which would result in the formation of a "federal unit" with a Croat majority. At the meeting of the Croat People's Assembly Congress held on 28 January, the President of the Main Council of the Assembly, Božo Ljubić, reaffirmed that goal as "the permanent aspiration of Croats in Bosnia and Herzegovina".[6]

29. On 17 November, the Croat People's Assembly organized a commemoration of the twenty-fifth anniversary of the founding of the breakaway Croatian Republic of

[5] "You cannot expect to resolve all national issues of other peoples in the Balkans, and yet to leave the Serb people fragmented in several countries, and to try to unilaterally impose a solution in each of those countries that is in its essence anti-Serb. ... Hypothetically speaking, the territory which would be organized so that Bosniaks have their state in which they are the dominant majority, Serbs have theirs in which they are the dominant majority, Croats theirs, Albanians theirs, seems to have the potential to be the best possible solution for long-term stability." Mr. Dodik, *Sputnik*, 6 March 2017. "If Kosovo becomes a full-fledged member of international organizations like the United Nations, then the Republika Srpska will also take steps to that end." Mr. Dodik, *Izvestija* interview, 6 March 2017. "Bosnia-Herzegovina cannot survive the future with the competences it snatched from Republika Srpska ... I think that the decades to come, not necessarily 2018, are the time when the Serb national issue must be seen integrally." Mr. Dodik, *Nezavisne novine/Sputnik*, 5 March 2017. "In 1992 [Republika Srpska] was formed out of the need of our people to live free, in freedom, to have their state, and that that state in time we dream of joining and become a single part together with mother Serbia." Mr. Dodik, speech on the occasion of 9 January 2017. "The Republika Srpska is determined to assert the original Dayton powers and position. If that is not possible, nobody will keep us in Bosnia and Herzegovina." Mr. Dodik, *Faktor.ba*, 9 January 2017. "This Bosnia is a country which has no chance to succeed ... and I am trying for that to be our dominant process, that we peacefully separate along entity lines. We lay down a state line and in that way we resolve and then we turn towards cooperation." Mr. Dodik, *N1/Beta*, 8 January 2017.

[6] "If Bosnia and Herzegovina wishes to become self-sustainable, then its administrative and territorial reorganization is necessary, so as to include a federal unit with Croat majority. And that remains a permanent aspiration of the Croat people in Bosnia and Herzegovina." Božo Ljubić, *Ljubuški net*, 28 January 2017.

Herzeg-Bosnia (previously the Croatian Community of Herzeg-Bosnia). At the event, various speakers commended the concept of the Croatian Republic of Herzeg-Bosnia, asserted that it was still valid and vowed that there would be no Bosnia and Herzegovina without the Croatian Republic of Herzeg-Bosnia.[7] Some Croat leaders continue efforts to rehabilitate the image of the Croatian Republic of Herzeg-Bosnia, many of whose leaders were indicted and sentenced for war crimes by the International Tribunal for the Former Yugoslavia.

Republika Srpska National Assembly awards war criminals

30. On 24 October, the Republika Srpska National Assembly marked the twenty-fifth anniversary of the withdrawal of Serb delegates from the Parliamentary Assembly of the former Socialist Republic of Bosnia and Herzegovina and the formation of the Assembly of Serb People in Bosnia and Herzegovina. On the occasion, the current Republika Srpska National Assembly leadership gave special awards to all former Speakers of the Republika Srpska National Assembly and members of the first Republika Srpska Presidency, including convicted war criminals Biljana Plavšić and Momčilo Krajišnik, as well as Radovan Karadžić, who was convicted in the first instance for crimes against humanity, genocide and war crimes, and to Nikola Koljević.

31. The event resulted in condemnations by various international organizations and demonstrated the continued reluctance or inability of the Republika Srpska leadership to break with the past.

Implementation of the referendum in Republika Srpska on observing 9 January as the "Republika Srpska Day" holiday

32. As detailed in my special report on a referendum in Republika Srpska against the State Constitutional Court of Bosnia and Herzegovina decisions, which I submitted with my previous regular report (S/2016/911), the Republika Srpska authorities held a referendum on 25 September 2016 concerning the support for observing 9 January as the date of the "Republika Srpska Day" holiday, despite the interim measure of the Constitutional Court of Bosnia and Herzegovina of 17 September suspending the decision of the Republika Srpska National Assembly of 15 July to hold a referendum pending a final decision of the Constitutional Court concerning the aforementioned National Assembly decision.

33. On 25 October, the Republika Srpska National Assembly passed the Law on the Republika Srpska Day, intended to implement the results of the referendum conducted in violation of the decisions of the Constitutional Court of Bosnia and Herzegovina. The law was subject to a vital national interest procedure raised by the Bosniak Caucus in the Republika Srpska Council of Peoples.

34. On 1 December, the Constitutional Court of Bosnia and Herzegovina granted the request of the Bosniak member of the Bosnia and Herzegovina Presidency, Bakir Izetbegović, and others "to resolve the constitutional dispute with the Entity of Republika Srpska" in connection with the Republika Srpska National Assembly decision of 15 July 2016 to conduct the referendum on "Republika Srpska Day" on 25 September 2016. The Court held that the Assembly decision was not in conformity with article I (2) and article VI (5) of the Constitution of Bosnia and Herzegovina, since it defined the referendum as on a question that pertained to a

[7] "Had it not been for the [Croatian Community of Herzeg-Bosnia], we would have met the destiny of Vukovar, and Croats would not exist in Bosnia and Herzegovina. That is why the [Croatian Community of Herzeg-Bosnia] was created." President of HDZ Bosnia and Herzegovina/Croat People's Assembly, Dragan Čović, Mostar, 17 November 2016.

matter already decided by the final and binding decision of the Court, which all public authorities and institutions are obliged to respect.

35. The Court also annulled the referendum results on the grounds that the referendum was held on the basis of a decision on a referendum that the Court had declared incompatible with the Constitution of Bosnia and Herzegovina and contrary to the Court's order set forth in its interim measure of 17 September 2016.

36. On 22 December, the Constitutional Court of the Republika Srpska decided that the vital national interest of the Bosniak people was not violated by the Law on the Republika Srpska Day. The law was published in the *Republika Srpska Official Gazette* on 27 December 2016 and entered into force.

37. On 9 January, despite the decision by the Constitutional Court of Bosnia and Herzegovina that marking the date of 9 January as the "Republika Srpska Day" holiday was unconstitutional, the authorities organized "Republika Srpska Day" celebrations in Banja Luka. Events included a parade of members of the police and civil protection services, sports associations and other groups, as well as the participation of the Third Infantry Regiment of the Armed Forces of Bosnia and Herzegovina, which was present at the request of the Serb member of the Bosnia and Herzegovina Presidency, Mladen Ivanić.

38. By organizing the referendum in direct contravention of the decisions of the Constitutional Court of Bosnia and Herzegovina and by implementing it, the Republika Srpska affirmed its continued policy of disregarding the constitutional order as set forth in annex 4 to the General Framework Agreement for Peace and the authority of the State-level judiciary. By rejecting the final and binding decisions of the Constitutional Court of Bosnia and Herzegovina, and in particular the Court's decision ordering interim measures, the Republika Srpska authorities set a precedent for the misuse of referendums to attempt to justify violating their obligations under the Framework Agreement, irrespective of any eventual decision of the Constitutional Court.

Decision of the Constitutional Court of Bosnia and Herzegovina in the "Ljubić case"

39. On 1 December the Constitutional Court of Bosnia and Herzegovina adopted a decision in the so-called "Ljubić case", which concerns the request of the current President of the Main Council of the Croat People's Assembly, Mr. Ljubić, for a review of the constitutionality of the provisions of the Bosnia and Herzegovina Election Law pertaining to the election of delegates to the Federation House of Peoples. The Constitutional Court established that several challenged provisions of the Bosnia and Herzegovina Election Law are not in conformity with article I (2) of the Constitution of Bosnia and Herzegovina, and ordered the Bosnia and Herzegovina Parliamentary Assembly to harmonize those provisions with the Constitution no later than six months from the date of delivery of its decision. The Court's decision was published on 6 January and sent to the Parliamentary Assembly. Consequently, the deadline to harmonize the unconstitutional provisions is in early July.

40. The decision in the "Ljubić case" includes political elements and considerations and raises several difficult legal questions. Its effects cannot be precisely predicted and depend on what the key political stakeholders and authorities in charge of its implementation agree upon. Based on early reactions to the decision, it is difficult to see how the Federation-based parties might reconcile their conflicting views on its implementation.

41. While the President of SDA, the main Bosniak party, Mr. Izetbegović, expressed the view that minor technical amendments to the Bosnia and Herzegovina Election Law should be adopted to reflect the exact wording of the Constitution of the Federation, the President of the Croatian Democratic Union of Bosnia and Herzegovina (HDZ Bosnia and Herzegovina), the main Croat party, Dragan Čović, stated that provisions of the Law that affect the Federation House of Peoples must be adopted in accordance with the principles set forth in the "Ljubić case" and that the next indirect elections to the Federation House of Peoples, to be held subsequent to the 2018 general elections in Bosnia and Herzegovina, cannot be held without the adoption of appropriate amendments to the Law.

42. The opposing views, particularly between HDZ Bosnia and Herzegovina and SDA officials, centre on whether the elections to be held in 2018 for the Federation House of Peoples can be carried out should the Bosnia and Herzegovina Parliamentary Assembly fail to amend the unconstitutional provisions of the Bosnia and Herzegovina Election Law and should the Constitutional Court of Bosnia and Herzegovina consequently repeal the provisions deemed unconstitutional. The issue is even more important considering that, should elections to the Federation House of Peoples not be held, it would be impossible to elect delegates to the Bosnia and Herzegovina House of Peoples, members of the Federation Presidency, and a new Federation Government subsequent to the elections in 2018.

43. Moreover, looking at the broader potential implications of the decision, with regard to the implementation of the judgments of the European Court of Human Rights in the cases concerning *Sejdić and Finci*, *Zornic*, and *Pilav*, conflicting views among certain political stakeholders emerged as to whether the principle of proportional and legitimate representation developed by the Constitutional Court in the "Ljubić case" would also have an impact on the rules concerning the elections of the members of the Bosnia and Herzegovina Presidency.

44. My Office will continue to closely follow the developments regarding the implementation of the decision in the "Ljubić case".

Issue of foreign fighters

45. According to various Bosnia and Herzegovina authorities, Bosnia and Herzegovina recorded no new departures of its citizens to join Islamic State of Iraq and Levant (ISIL) during the reporting period. The Office of the Prosecutor in Bosnia and Herzegovina continued its activities relating to the investigation and prosecution of citizens of Bosnia and Herzegovina who had left or planned to leave Bosnia and Herzegovina with the aim of joining ISIL, despite having knowledge of the 30 May 2013 press release of the Security Council indicating that the Security Council Committee pursuant to resolutions 1267 (1999) and 1989 (2011) concerning Al-Qaida and associated individuals and entities had approved the listing of ISIL as a terrorist organization.

III. State-level institutions of Bosnia and Herzegovina

A. Bosnia and Herzegovina Presidency

46. During the reporting period, the Bosnia and Herzegovina Presidency was affected by the political fallout from wider controversies, in particular the attempt to submit a request for revision to the International Court of Justice described above.

47. The revelation that the International Court of Justice had communicated its position to the disputed Bosnia and Herzegovina agent, in May 2016, that a request

for revision of the judgment would require a new formal authorization by the Bosnia and Herzegovina Presidency transformed a controversial issue into a political scandal. The Chair of the Bosnia and Herzegovina Presidency, Mr. Ivanić, and other Serb political leaders insisted that Mr. Izetbegović had acted unilaterally and outside the scope of the Bosnia and Herzegovina institutions and that he should bear the political and possibly legal responsibility. Mr. Ivanić also stated that the Bosnia and Herzegovina Presidency might never again function normally.

48. Several Bosniak political leaders who had supported Mr. Izetbegović's efforts called for his resignation, while the President of the National Democratic Movement, a Republika Srpska political party, Mr. Čović, submitted criminal complaints against Mr. Izetbegović and the disputed Bosnia and Herzegovina agent with the Office of the Prosecutor in Bosnia and Herzegovina. To date, the Office has confirmed that it has only opened a case against the disputed Bosnia and Herzegovina agent.

49. In a welcome development, the Bosnia and Herzegovina Presidency resumed its work on 11 April, discussing several accumulated items and decisions.

50. Among the notable decisions taken by the Bosnia and Herzegovina Presidency during the reporting period was the adoption of the defence review on 24 November. On 20 December, the Presidency submitted the candidacy of Bosnia and Herzegovina for membership on the World Heritage Committee of the United Nations Educational, Scientific and Cultural Organization. In addition, the Presidency adopted a decision extending the mandate of the Armed Forces of Bosnia and Herzegovina in NATO-led peacekeeping operations in Afghanistan, and gave initial support to the possible contribution of the Armed Forces to the Common Security and Defence Policy of the European Union through the engagement of 40 persons in an European Union training mission in the Central African Republic.

51. On 17 November, the Serb member of the Bosnia and Herzegovina Presidency, Mr. Ivanić, assumed the Chair of the Presidency from the Bosniak member, Mr. Izetbegović.

B. Council of Ministers of Bosnia and Herzegovina

52. The Council of Ministers of Bosnia and Herzegovina continued to meet regularly during the reporting period, holding 21 regular sessions and four extraordinary sessions, focusing with some success on issues relating to the path of Bosnia and Herzegovina towards integration with the European Union and addressing technical and economic topics. At the same time, the overall legislative output of the sessions was relatively small.

53. The Council of Ministers adopted only two new laws, the 2017 State Budget and the Law on Insuring Bank Deposits in Bosnia and Herzegovina, and eight sets of amendments to existing legislation, including a set of amendments required by the IMF letter of intent, including amendments to the Law on Excise Tax, the Law on Payments to the Single Account and the Law on the Indirect Taxation System.

54. The Council of Ministers adopted its work plan for 2017 and its action plan for 2017 on 1 February, including nearly 100 development-investment projects relating to European Union accession and fulfilling requirements from the Partnership for Peace and further enhancing regional and international cooperation. The action plan envisages the adoption of more than 40 laws and 650 decisions, reports, strategies and international treaties on the agenda of the Council of Ministers in 2017.

55. The Council of Ministers also established an inter-agency working group to analyse and propose modalities, including new technology in the electoral process

in Bosnia and Herzegovina. At the same time, the inter-agency working group established in 2015 to prepare changes to the Bosnia and Herzegovina Election Law and the Law on Political Party Financing, has continued its work in 2017.

56. The Council of Ministers engaged in regional cooperation, leading a Bosnia and Herzegovina delegation in a visit to Belgrade on 23 January to discuss potential improvements in bilateral relations.

C. Bosnia and Herzegovina Parliamentary Assembly

57. During the reporting period, the work of the Bosnia and Herzegovina Parliamentary Assembly was lackluster, with both houses bogged down by boycotts or threats of boycotts by delegates from Republika Srpska parties and an unstable ruling majority coalition, resulting in lower output. Sessions often became the stage for politicking between various parties.

58. The Bosnia and Herzegovina Parliamentary Assembly was affected by the political crisis that resulted from the request for revision of the judgment of the International Court of Justice of 26 February 2007 in *Bosnia and Herzegovina v. Serbia and Montenegro*. In February and March, sessions of the Bosnia and Herzegovina House of Representatives and the Bosnia and Herzegovina House of Peoples were disrupted by the threat of Republika Srpska delegates that they would not attend, because they disputed the legitimacy of the request for revision. In the session of the Bosnia and Herzegovina House of Representatives on 7 March, even the Bosnia and Herzegovina coalition partner the "Alliance for Changes" refused to participate in voting on any issue. SNSD delegates have repeatedly boycotted sessions of the Bosnia and Herzegovina House of Representatives since December over the issue of the rotation of SDA delegate Sefik Dzaferovic to the House of Representatives Speaker position and their accusations of his involvement in war crimes.

59. The Bosnia and Herzegovina Parliamentary Assembly also has yet to adopt the excise and banking deposit insurance-related legislation required for the completion of the first review under the IMF Extended Fund Facility arrangement. At the end of March, the Council of Ministers of Bosnia and Herzegovina adopted the legislation and sent it to the Bosnia and Herzegovina Parliamentary Assembly in an urgent procedure to meet the 7 April deadline set by IMF. At its session on 5 April, the House of Representatives rejected the urgent procedure, after which the Council of Ministers resubmitted the same proposals, again with a request for considering it under urgent procedure. The House of Peoples adopted the legislation on 7 April, whereas the House of Representatives declined to consider the legislation under urgent procedure at its session on 20 April. Consequently, the laws remain among the outstanding requirements delaying the disbursement of the second tranche of funds under the IMF Extended Fund Facility arrangement.

60. The Bosnia and Herzegovina House of Representatives held only eight regular sessions and one urgent session during the reporting period, and the Bosnia and Herzegovina House of Peoples held only five regular sessions and one urgent session. The parliament adopted three new laws and five changes to existing legislation.

61. The parliament ultimately rejected the proposed removal of Deputy Minister of Defence of Bosnia and Herzegovina, Sead Jusić, over his role in approving the participation of members of the Third Infantry Regiment of the Armed Forces of Bosnia and Herzegovina in the "Republika Srpska Day" holiday events in Banja Luka on 9 January.

IV. Federation of Bosnia and Herzegovina

Federation coalition developments

62. During the reporting period, the Federation Government worked fairly consistently, holding 25 regular sessions and 19 extraordinary sessions. However, frequent disagreements over proposed legislation plagued the ruling SDA-HDZ Bosnia and Herzegovina-Party for a Better Future coalition, disrupting the functioning of parliament. Although both Houses of the Federation Parliament went several months without holding sessions, owing primarily to disputes over proposed amendments to the Law on Lotteries and amendments to restore benefits to some 6,000 Croat war veterans, the Federation Parliament adopted a total of seven new laws and 12 amendments to existing laws during the reporting period.

Constitutional Court of Bosnia and Herzegovina dismisses the challenge of the Republika Srpska National Assembly against the constitutionality of laws adopted in the Federation House of Peoples

63. In October, 30 delegates in the Republika Srpska National Assembly submitted to the Constitutional Court of Bosnia and Herzegovina a request for review of the constitutionality of all laws and by-laws adopted by the Federation Parliament since the 2014 general elections, arguing that the Federation House of Peoples was not fully constituted because only 13 of 17 Serb delegates had been appointed and that the Serb caucus was unable to invoke the mechanism for protection of vital national interest in decision-making. On 19 January, the Constitutional Court dismissed the request, clarifying that, under the Constitution of the Federation and the Election Law, there were no provisions that prevented the Federation House of Peoples from being constituted before all delegates were elected and that the Serb caucus in the Federation House of Peoples had not been prevented from invoking the vital national interest mechanism.

Federation Constitutional Court strikes down amendments to the Law on Civil Service in the Federation

64. On 7 December, the Federation Constitutional Court decided that amendments to the Law on Civil Service in the Federation adopted in October 2015 were not in accordance with the Constitution of the Federation.

Stolac repeat elections

65. On 19 February, the Stolac municipality, where the 2 October 2016 local elections had been suspended owing to several incidents, successfully conducted repeat elections without further incident. The Bosnia and Herzegovina Central Election Commission removed several candidates from the ballot over the earlier incidents, including the only Bosniak mayoral candidate. The Central Election Commission has confirmed the election results, and the Stolac municipal council has been partially constituted. The HDZ Bosnia and Herzegovina candidate won the mayoral race. At the inaugural session of the municipal council, a deputy speaker from HDZ Bosnia and Herzegovina was elected, and negotiations are ongoing about the position of speaker.

Federation House of Representatives adopts resolution against "ethnic federalization"

66. In a 21 March extraordinary session of the Federation House of Representatives, an SDP delegate proposed a resolution condemning calls for the further federalization of Bosnia and Herzegovina. Croat delegates in the Federation

House of Representatives called the SDP-proposed resolution an attack against Croats and left the session, with the remaining 70 delegates unanimously adopting the resolution.

67. Subsequently, Croat political parties called the adopted resolution "anti-Dayton" and "anti-European Union", claiming that it promoted a "unitary and nationalistic Bosniak agenda". In an open letter of 23 March, the Croat People's Assembly warned that if Bosniak delegates did not revoke the resolution, the Assembly would launch unspecified measures. The resolution has not been revoked, and there have been no further actions.

Two schools under one roof in Jajce

68. In March, Central Bosnia Canton authorities moved forward with the foundation of a secondary school in which Bosniak and Croat students, who have heretofore attended classes together, would attend classes separately according to their national (i.e., ethnic) curricula. This marks the first attempt to found such a school, a so-called "two schools under one roof", in the Federation in nearly 15 years. Authorities insist that they founded the school according to requests from the local community, but some Bosniak and Croat students, parents and teachers have protested the decision. On a positive note, it seems that some of the authorities previously advocating for the foundation of a new school may be exploring ways to concentrate their efforts on finding a solution within the current school system.

No agreement to enable local elections in Mostar

69. Regrettably, no political agreement was reached during the reporting period to enact amendments to the Bosnia and Herzegovina Election Law that would enable the holding of local elections in the City of Mostar. In a communiqué of 7 December 2016, the Political Directors of the Steering Board of the Peace Implementation Council again "deplored the utter failure of the political parties over the past six years to meet their obligations to implement the ruling of the [Constitutional Court of Bosnia and Herzegovina] on the electoral system for Mostar" and "called upon all parties, in particular SDA and [HDZ Bosnia and Herzegovina], to reach a compromise to allow voters in Mostar to exercise their basic right to vote".

V. Republika Srpska

70. During the reporting period, the ruling coalition led by SNSD remained functional, with the Republika Srpska Government meeting regularly. The Republika Srpska National Assembly held four regular and four special sessions, and adopted 10 new laws and 19 sets of amendments to existing laws.

71. There are two major trends affecting the political situation Republika Srpska, both of which have perpetuated the ongoing crisis in the country. The first was caused by rising tensions between Sarajevo and Banja Luka over two issues, the referendum on the 9 January "Republika Srpska Day" holiday and the attempted request for revision of the judgment of the International Court of Justice of 26 February 2007 in *Bosnia and Herzegovina v. Serbia and Montenegro*). The second trend has been the constant political power struggle between the ruling coalition in Republika Srpska led by SNSD and its president, President of Republika Srpska Mr. Dodik, and the opposition parties gathered under the "Alliance for Changes".

72. In October, the Republika Srpska National Assembly decided to give special awards to former Assembly Speakers and members of the first Republika Srpska Presidency, including convicted war criminals Momčilo Krajišnik and Biljana Plavšić, as well as Radovan Karadžić, who has been convicted of genocide, crimes against humanity and war crimes at first instance by the International Tribunal for the Former Yugoslavia.

73. Republika Srpska authorities also decided to continue with observing the "Republika Srpska Day" holiday on 9 January, despite the ruling of the Constitutional Court of Bosnia and Herzegovina that the date (not the holiday itself) is unconstitutional. The President of Republika Srpska, Mr. Dodik used the ceremony marking the date as an opportunity to reiterate his position on the dissolution of Bosnia and Herzegovina.

74. Reacting to the attempt to submit a request for revision of the judgment of the International Court of Justice of 26 February 2007 in *Bosnia and Herzegovina v. Serbia and Montenegro*, on 27 February, the Republika Srpska National Assembly adopted a set of wide-ranging conclusions condemning the effort and seeking to block decision-making at the State level except on issues of importance to the Republika Srpska. Notably, the "Alliance for Changes" parties indicated that they would not observe the latter.

75. Several weeks after the municipal elections held in Bosnia and Herzegovina in 2016, the President of Republika Srpska, Mr. Dodik, stated that the Republika Srpska Government would no longer support municipalities run by the Republika Srpska opposition parties. In turn, on 14 November, the "Alliance for Changes" parties condemned Mr. Dodik's statement as illegal and announced they would no longer cooperate with his party, SNSD.

76. On a positive note, on 9 March, the Republika Srpska and Federation Governments held a joint session in Banja Luka to discuss the reform agenda for Bosnia and Herzegovina and the implementation of the IMF Extended Fund Facility arrangement, focusing on implementing measures aimed at reducing the gray economy. Generally speaking, the cooperation between the entity governments, led by Prime Minister of Republika Srpska, Željka Cvijanović, and Prime Minister of the Federation of Bosnia and Herzegovina, Fadil Novalić, could be characterized as positive and pragmatic.

Non-cooperation with the High Representative

77. On 12 January, the Republika Srpska Government decided to cease all communication and contact with my Office over my alleged comparison of the "Republika Srpska Day" holiday and the day of the founding of the Nazi-era Independent State of Croatia. Needless to say, my statement was misinterpreted, and I immediately clarified that I was not drawing a parallel between the Republika Srpska and the Independent State of Croatia.

78. The Republika Srpska Government continues to deny my Office the access to official information and documents required under annex 10 of the General Framework Agreement for Peace. Article IX of annex 10 obliges all authorities in Bosnia and Herzegovina to fully cooperate with the High Representative, as well as with the international organizations and agencies. Repeated calls by the Steering Board of the Peace Implementation Council reminding the Republika Srpska authorities of their obligations in this regard have had no impact. The practice of the Republika Srpska Government's not providing information and documents as requested by the Office of the High Representative dates to 2007 and contradicts frequent claims by Republika Srpska that the entity respects the letter of the Framework Agreement.

VI. Entrenching the rule of law

Draft law on Bosnia and Herzegovina courts

79. The jurisdiction of the Bosnia and Herzegovina State Court is still a major point of contention between the Republika Srpska and other political authorities, preventing the adoption of a new law on Bosnia and Herzegovina courts. A working draft includes provisions for the Bosnia and Herzegovina State to maintain its current criminal jurisdiction over organized crime and corruption, alongside alternate provisions reflecting the view of the Republika Srpska, which seeks limitations on Bosnia and Herzegovina State jurisdiction. The Minister of Justice of Bosnia and Herzegovina attempted to introduce a new draft that sought to substantially diminish State-level criminal jurisdiction. However, within the European Union-led structured dialogue on justice, it is expected that work will continue on the previous draft, which would not diminish State-level jurisdiction. I have made it clear that the State-level jurisdiction must not be diminished, given that it follows the division of competencies between the State of Bosnia and Herzegovina and the entities under the Bosnia and Herzegovina Constitution.

Non-execution of court judgments

80. During the reporting period, one of the most serious violations of the rule of law in Bosnia and Herzegovina to date, which necessitated my previous special report to the Security Council, continued, as the Republika Srpska violated its obligations under the General Framework Agreement for Peace, in particular annex 4 thereto containing the Constitution of Bosnia and Herzegovina. After the Republika Srpska authorities conducted a referendum on 25 September 2016, in violation of two final and binding decisions of the Constitutional Court of Bosnia and Herzegovina, on 25 October, the Republika Srpska National Assembly passed the Law on the "Republika Srpska Day" with the aim of implementing the results of the referendum that had been conducted, in further violation of those decisions.

81. The Office of the Prosecutor in Bosnia and Herzegovina is conducting an investigation into the organization and conduct of the referendum in Republika Srpska, which, under article 239 of the Criminal Code of Bosnia and Herzegovina, Failure to Enforce Decisions of the Constitutional Court of Bosnia and Herzegovina, the Court of Bosnia and Herzegovina, the Human Rights Chamber and the European Court of Human Rights, constitutes a criminal offense, with a sanction of six months' to five years' imprisonment.

82. After previous refusals to submit to questioning in the matter, the President of Republika Srpska, Mr. Dodik appeared before the Office of the Prosecutor in Bosnia and Herzegovina on 30 December to give his statement. The Office has also questioned the Prime Minister of Republika Srpska and the former head of the Republika Srpska Referendum Commission, among others.

83. Another example of the deterioration in the entrenchment of the rule of law that requires my attention is the direct rejection by the Republika Srpska authorities of the applicability of Bosnia and Herzegovina-level judicial decisions in that entity. Thus, the Bosnia and Herzegovina State Court decision on a prospective defence property location in Han Pijesak, located in the Republika Srpska, continues to be ignored by the Republika Srpska authorities.

Entity anti-corruption efforts

84. In the Republika Srpska, organizational changes within the Republika Srpska prosecution introduced by the new Law on Repressing Corruption, Organized and

Most Serious Forms of Economic Crime, were implemented during the reporting period. In the Federation, however, legislation from 2014 on a special prosecutor and court department for fighting corruption and organized crime remains unimplemented.

VII. Public security and law enforcement, including intelligence reform

85. The practice of improper political interference in operational policing has not diminished during the reporting period.

86. The Sarajevo Canton Law on Internal Affairs, adopted in January 2016, remains unimplemented in its most important aspect, which is establishing the operational and financial independence of the police organization, given that the Sarajevo cantonal government has not yet adopted an essential by-law. An initiative by the Sarajevo Cantonal Assembly to introduce major changes to the still to be implemented law would lead to more political control over the police and would disrupt the harmonization of police-related legislation in the Federation.

87. In November, the Sarajevo cantonal government dismissed its Police Commissioner. In March, the Sarajevo Cantonal Independent Board issued the vacancy announcement for a new commissioner. The international community pushed back earlier efforts to reduce the criteria for the new commissioner, thereby resulting in the delay in issuing the vacancy announcement.

88. The appointment of a new police commissioner in Canton 10 has been outstanding since December 2014. The appointment of the Federation Administration Police Director in January 2015 remains unresolved to date due to an ongoing court dispute. After long delays, West Herzegovina Canton appointed a new police commissioner on 1 December. The appointment of the Federation Independent Board remains outstanding since 2015, and the procedure is ongoing in Herzegovina-Neretva Canton.

89. On 8 December 2016, the Federation House of Peoples adopted the Law on Police Officials. On 7 February 2017, the Sarajevo Cantonal Assembly adopted its Law on Police Officials. Both laws are currently in further parliamentary procedure.

90. The Office of the High Representative and its main international community partners continue to monitor changes to police legislation and to encourage harmonization in jurisdictions throughout the country. However, attempts to disharmonize the legislative frameworks are on the rise.

VIII. Economy

91. Available economic indicators for 2016 show a mixed picture. Although foreign trade and industrial production were slightly higher compared with production in 2015, the Directorate for Economic Planning of the Council of Ministers noted a substantial decline in the rate of growth to almost half that of 2015.

92. Although unemployment has dropped by 5.1 per cent, that there are more than half a million persons registered as unemployed as at December 2016 remains of concern. The administrative unemployment rate is 40.9 per cent, while the real unemployment rate is about 25.4 per cent. The share of youth unemployment in the total unemployment figure is estimated at 54.3 per cent.

93. According to preliminary data from the Central Bank of Bosnia and Herzegovina, foreign direct investment in 2016 amounted to BAM 504.4 million, a 5.8 per cent increase compared with 2015. Living standards are poor. With the average December salary of BAM 853 and the average pension of BAM 358, even those with a steady income struggle to make ends meet. In addition, the number of pensioners increased by 1.9 per cent.

94. Available economic indicators also show a decline across several areas and in comparison with the region. The United Nations Conference on Trade and Development *World Investment Report 2016* ranked Bosnia and Herzegovina fourth in foreign direct investment inflows in South-eastern Europe in 2015. The Heritage Foundation 2016 Index of Economic Freedom ranked Bosnia and Herzegovina 109th of 178 countries and thirty-ninth of 43 countries in Europe, with its overall score below global and regional averages. The World Bank report *Doing Business 2017* ranked Bosnia and Herzegovina eighty-first of 190 economies in terms of ease of doing business, the worst of all Balkan countries. The *Human Development Report 2015* of the United Nations Development Programme ranked Bosnia and Herzegovina eighty-fifth of 188 countries in terms of human development. The Transparency International Corruption Perceptions Index ranked Bosnia and Herzegovina eighty-third of 176 countries for 2016, behind neighbouring Croatia, Serbia, and Montenegro. In the *Economic Freedom of the World 2016 Annual Report*, Bosnia and Herzegovina ranked ninety-first of 159 countries and territories, and in the World Economic Forum *Global Competitiveness Report 2016-2017*, Bosnia and Herzegovina ranked 107th of 138 economies, again the lowest ranked country in the region. The *Report* also showed the country's poor capacity to retain talent; in terms of brain drain, Bosnia and Herzegovina ranked 134th of 138 countries.

95. Bosnia and Herzegovina's credit rating remains the same. On 10 March, Standard & Poor's Ratings Services affirmed the credit rating at "B with stable outlook", based on Bosnia and Herzegovina's fiscal performance, robust indirect tax revenues and still comparably low debt burden, among other factors. The constraints stem from the country's political divisions, rising external indebtedness and substantial external financing requirements.

96. The banking sector is assessed as generally stable and liquid and should be further strengthened following the adoption of the full legislative package prepared by the authorities as part of their commitments under the IMF Extended Fund Facility arrangement. The Bosnia and Herzegovina Deposit Insurance Agency, with the efficient handling of deposit refunds following the bankruptcy of two banks based in Republika Srpska (Bobar Banka and Banka Srpske) contributed to the sector's stability.

Fiscal issues

97. Indirect tax revenues continued to grow, which is essential for fiscal stability at all levels of government in Bosnia and Herzegovina. In 2016, the Indirect Taxation Authority of Bosnia and Herzegovina collected a record annual collection of BAM 6.638 billion, 4.48 per cent more than in 2015.

98. During the reporting period, Bosnia and Herzegovina did not benefit from IMF disbursements, given that the responsible authorities failed to complete all measures required for the completion of the first performance review under the IMF Extended Fund Facility arrangement. Following a visit in March 2017, IMF identified the outstanding issues as the adoption of an increase in fuel excises and amendments to the Bosnia and Herzegovina Law on Deposit Insurance Agency by the Bosnia and Herzegovina Parliamentary Assembly; a decision to limit 2017 employment in the

Bosnia and Herzegovina institutions by the Council of Ministers of Bosnia and Herzegovina; the adoption by the Federation Parliament of amendments to the Federation Law on Banking Agency; and a due diligence procedure for BH Telecom and HT Mostar by the Federation Government. The completion of these tasks will pave the way for the consideration of the first review by the IMF Executive Board and, in case of approval, for the second IMF disbursement to Bosnia and Herzegovina.

99. In the absence of IMF assistance, the sustained growth of indirect tax revenues and the continued reliance on domestic borrowing were key to maintaining fiscal stability during the reporting period. However, fiscal challenges are evident and likely to increase in the case of further delays in IMF disbursements and also due to a 31 per cent increase in foreign debt payment obligations (BAM 1.011 billion), among other factors, which has an impact on the budget revenues of the entities and the lower levels of government.

100. The challenges may be somewhat alleviated by the settlement of the Russian Federation "clearing debt" of US$ 125.2 million towards Bosnia and Herzegovina, stemming from the commodity exchange between the former Union of Soviet Socialist Republics and the former Socialist Federal Republic of Yugoslavia. Following its acceptance by the Council of Ministers of Bosnia and Herzegovina on 10 November and the Bosnia and Herzegovina Presidency on 24 November, the Minister of Finance and Treasury of Bosnia and Herzegovina Vjekoslav Bevanda (HDZ Bosnia and Herzegovina) signed the debt settlement agreement with the Deputy Finance Minister of the Russian Federation, Sergei Anatolievich Storchak, on 21 March 2017 in Moscow. The debt will be settled upon ratification of the agreement, and the resulting financial assets will be apportioned to the State (10 per cent), the Federation (58 per cent), the Republika Srpska (29 per cent) and the Brcko District (3 per cent).

101. The adoption process for the budget for 2017 was completed prior to 31 December at the State and entity levels. Brcko District, half of the cantons and the city of Mostar failed to comply with the budget adoption calendar and were forced to operate on temporary financing or, in the case of Mostar, without any financing until the adoption of the budget.

102. On 15 December 2016, the Bosnia and Herzegovina Parliamentary Assembly adopted the Law on the Budget of Bosnia and Herzegovina Institutions and International Obligations of Bosnia and Herzegovina for 2017 in the amount of BAM 1.961 billion, a 14 per cent increase compared with the previous budget. The financing of State institutions has been locked at the same level since 2012, in terms of both the total amount (BAM 950 million) and the amount of indirect tax revenues (BAM 750 million), which is 78.9 per cent of the total State budget revenue. Other revenue sources for State institutions are limited, and they do not benefit from IMF financing. There are concerns that these financial constraints may affect their ability to fully meet their obligations.

103. The Federation Parliament completed the adoption of its budget for 2017 on 29 December 2016. The adopted budget totals BAM 2.747 billion, a 6 per cent increase compared with the previous budget, which includes BAM 562.6 million for foreign debts (39 per cent increase), BAM 530 million for domestic borrowing (33 per cent increase) and BAM 42.7 million for internal debts (74 per cent decrease). The total projected domestic revenue in 2017 are BAM 1.985 billion, and the BAM 762.6 million deficit is to be covered by proceeds from the sale of financial assets (BAM 120 million), short-term borrowing (BAM 360 million) and long-term borrowing (BAM 282.6 million).

104. Fiscal challenges in the Federation may arise in the case of further delays in IMF disbursements, the underperformance of domestic revenue or a lack of interest for government securities. There is also continued concern over the stability of the Federation Pension and Disability Fund, which struggles to secure regular and timely payments of pensions in the Federation. The new Federation Law on Pension and Disability Insurance currently in parliamentary procedure should address this issue by including the Fund in the Federation treasury system. However, judging from experience in the Republika Srpska, although the inclusion of the Pension Fund in the treasury system ensures timely pension payments, it causes delays in other budget payments. A serious budget challenge for the Federation also stems from demands to restore military pension rights to some 11,000 demobilized soldiers of the former army of Bosnia and Herzegovina and the Croat Defence Council.

105. In December 2016, the Federation Parliament adopted amendments to the Law on Budgets in the Federation to provide a legal basis for the continued financing of the city of Mostar, which has no functioning city council to adopt the budget. The amendments empowered the Mayor of Mostar, with the consent of the head of the Finance Department of Mostar, to announce the city budget for 2017 in February.

106. On 24 December, the Republika Srpska National Assembly adopted the Republika Srpska budget for 2017, which totals BAM 3.2 billion, a 2.3 increase compared with the previous year. Budget revenues are set at BAM 2.7 billion, with a deficit of BAM 522 million (6 per cent decrease), to be covered by domestic and foreign borrowing. With similar concerns as the Federation, of particular concern in the Republika Srpska is the accumulated debt of the healthcare sector, which exceeds BAM 1 billion. The Republika Srpska Pension Fund also faces challenges to its sustainability, owing to poor revenue collection and an increasing number of pensioners, among other factors. The inclusion of the Fund in the budget for 2016 resolved the issue of delayed pension payments but led to delays in other Republika Srpska payments.

International obligations and other issues

107. The Energy Community reintroduced sanctions against Bosnia and Herzegovina on 1 April, following the country's failure to follow through on an earlier commitment to support the adoption of a State law addressing persistent breaches of obligations under the Energy Community Treaty. Although the Ministry of Foreign Trade and Economic Relations of Bosnia and Herzegovina, led by Mirko Šarović (SDS), attempted to negotiate an acceptable solution, the entity authorities failed to agree on regulation of the gas sector at the State level.

108. On 16 March, the Republika Srpska Government adopted a conclusion requesting the Ministry of Transport and Communications of Republika Srpska to initiate a review of the agreement between the Federation and the Republika Srpska on the establishment of a joint public railway corporation as part of the transportation corporation, concluded in 1998 under annex 9 of the General Framework Agreement for Peace. The Republika Srpska Government also requested the Ministry to assess the justification for the continued existence of the Bosnia and Herzegovina Public Railway Corporation. The Bosnia and Herzegovina Public Railway Corporation is the only corporation established thus far under annex 9 and is crucial for smooth, safe and regular inter-entity and international railway traffic, including the allocation of rail routes for inter-entity and international traffic in a non-discriminatory manner and the harmonization of signaling, safety, telecommunications and other systems.

IX. Return of refugees and displaced persons

109. Upholding the right of refugees and displaced persons to return to their pre-war homes remains central to the full implementation of annex 7 of the General Framework Agreement for Peace, which requires authorities at all levels to create in their territories the political, economic, and social conditions conducive to the voluntary return and harmonious reintegration of refugees and displaced persons, without preference for any particular group.

110. The continued observation by Republika Srpska authorities of the "Republika Srpska Day" holiday on 9 January in contravention of several rulings of the Constitutional Court of Bosnia and Herzegovina does not contribute positively towards social conditions or the harmonious reintegration of refugees and displaced persons in this regard.

111. I also remain concerned by ongoing difficulties faced by returnees in the field of education in several local communities, in particular in the light of the ruling of 25 November of the Banja Luka Basic Court that Bosniak students in Vrbanjci, Kotor Varos, have not been discriminated against, notwithstanding the local primary school's failure to offer the national group of subjects.

112. The period following the elections held in October 2016 in Srebrenica, the site of the 1995 genocide against the Bosniak population of the former enclave protected by the United Nations and now an area of significant return, was marked by initial disputes of the election results. For the first time in the post-war era, a Serb was elected to lead the municipal administration, while Serb parties won a majority of seats in the municipal assembly. That development raised concerns within the Bosniak returnee population and caused divisions among their political representatives. Subsequently, some Bosniak representatives formed a ruling coalition with their Serb counterparts, whereas others joined the opposition. The new Serb mayor has continued to focus on general development issues. Nonetheless, distrust remains between the Bosniak and Serb communities, and it is continuously fuelled by political rhetoric at the higher levels in Bosnia and Herzegovina.

X. Media developments

113. The Bosnia and Herzegovina Public Broadcasting System continued to face challenges in terms of financing and independence from political influence. Authorities have attempted to extend the arrangement of financing public broadcasting through taxes collected by the three main telecom operators, but it is unlikely that that will be realized, bearing in mind the current political situation and the lack of political will to facilitate a solution for supporting the State public broadcaster.

114. Due to the ongoing failure to find a permanent financing solution and the resulting inability to fulfil its regular obligations towards both the domestic authorities in terms of taxes and employer contributions, as well as to the European Broadcasting Union, the State public broadcasting service is in serious financial trouble.

XI. Defence matters

115. In early January, the Armed Forces of Bosnia and Herzegovina were drawn into the political controversy surrounding the marking of 9 January as the "Republika Srpska Day" holiday, despite the Constitutional Court of Bosnia and

Herzegovina ruling that the marking of "Republika Srpska Day" on that date is unconstitutional. The Minister of Defence of Bosnia and Herzegovina informed Republika Srpska authorities that the Armed Forces of Bosnia and Herzegovina would participate in ceremonies on 8 January honouring military personnel and civilians who died during the war, but would not participate in the "Republika Srpska Day" parade on 9 January as had been done previously. Serb politicians, including the Serb Deputy Minister of Defence of Bosnia and Herzegovina, encouraged Serbs serving in the armed forces to make their way to Banja Luka and to participate in the parade regardless of orders to the contrary.

116. On 9 January, elements of the Serb band of the military orchestra of the Armed Forces of Bosnia and Herzegovina and an honour guard of Serb troops from the Third (Republika Srpska) Infantry Regiment rendered honours to the serving Chair of the Bosnia and Herzegovina Presidency, Serb member of the Presidency, Mr. Ivanić, on his direct orders. In addition, all top-ranking Serb officers were present at the event.

117. This circumvention of the chain of command, and the political encouragement to disobey orders, constituted the gravest threat to the integrity of the Armed Forces of Bosnia and Herzegovina since its establishment as a unified force in 2006. An investigation ordered by the Minister of Defence of Bosnia and Herzegovina has placed the blame for the incident on a lack of regulatory clarity regarding the rendering of military honours to members of the Bosnia and Herzegovina Presidency, but has thus far not addressed the behaviour of individual officers who attended the event, which is potentially a matter of concern under annex 1A to the General Framework Agreement for Peace.

118. On a positive note, the Ministry of Defence of Bosnia and Herzegovina is actively planning for the implementation of the defence review adopted in November 2016, in line with the political consensus agreed upon by the Bosnia and Herzegovina Presidency, and is also reinvigorating its legal and technical efforts in relation to the registration of immovable defence property.

XII. European Union military force

119. The European Union-led peacekeeping force in Bosnia and Herzegovina (EUFOR) continues to play a vital role in supporting the efforts of Bosnia and Herzegovina to maintain a safe and secure environment, which in turn assists my Office and other international organizations in fulfilling their respective mandates. The presence of EUFOR on the ground, including its liaison and observation teams, remains an important contributing factor to stability and security.

XIII. Future of the Office of the High Representative

120. The Political Directors of the Steering Board of the Peace Implementation Council met in Sarajevo on 6 and 7 December 2016 to underline the progress in implementing the General Framework Agreement for Peace, as well as their unequivocal commitment to the territorial integrity and sovereignty of Bosnia and Herzegovina. The Steering Board also emphasized the need to complete the five objectives and two conditions necessary for the closure of the Office of the High Representative. The next meeting of the Steering Board is scheduled for 6 and 7 June 2017 in Sarajevo.

121. My Office continues its fiscally responsible approach to budget planning and the results are evident. Since my mandate began in March 2009, the budget of the

Office of the High Representative has been reduced by more than 47 per cent and my staff by over 53 per cent. Given the deep and ongoing nature of the cuts, it is important to highlight that, given the realities of the situation on the ground and as I am entitled to under annex 10 of the General Framework Agreement for Peace, it is essential that I am equipped with the budget and the staff required to carry out my mandate effectively.

XIV. Reporting schedule

122. In keeping with the practice of submitting regular reports for onward transmission to the Security Council, as required under Council resolution 1031 (1995), I herewith present my seventeenth regular report. Should the Secretary-General or any member of the Council require further information at any time, I would be pleased to provide an additional written update. The next regular report to the Secretary-General is scheduled for October 2017.